

**EXHIBIT 45**



Deposition of:  
**Kara Corrado**

*September 10, 2019*

In the Matter of:  
**Russell, Monique Vs. Educational  
Commission For Foreign Medical  
Graduates**

Veritext Legal Solutions

888.777.6690 | cs-midatlantic@veritext.com | 215-241-1000

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MONIQUE RUSSELL, JASMINE : Case No. 2:18-cv-05629-JW  
RIGGINS, ELSA M. POWELL :  
AND DESIRE EVANS, : 2:18-cv-05629-JW

8 EDUCATIONAL COMMISSION :  
FOR FOREIGN MEDICAL :  
9 GRADUATES, :

10 Defendant.

September 10, 2019

Oral deposition of KARA CORRADO, taken at the offices of MORGAN LEWIS BOCKUS, LLP, 1701 Market Street, Philadelphia, Pennsylvania beginning at 10:48 a.m., before Jennifer L. McDonald, a Professional Reporter and a Notary Public in and for the Commonwealth of Pennsylvania.

VERITEXT NATIONAL COURT REPORTING COMPANY  
MID-ATLANTIC REGION  
1801 Market Street - Suite 1800  
Philadelphia, Pennsylvania 19103

<p>1 APPEARANCES:</p> <p>2 JANET, JANET, &amp; SUGGS, LLC</p> <p>3 BY: PATRICK A THRONSON, ESQ</p> <p>Executive Centre At Hooks Kane</p> <p>4 4 Reservoir Circle Suite 200</p> <p>Baltimore, Maryland 21208</p> <p>5 (410) 653-3200</p> <p>PThronson@JJSjustice.com</p> <p>6 Representing the Plaintiff</p> <p>7 MORGAN LEWIS &amp; BOCKUS LLP</p> <p>BY: ELISA P McENROE, ESQ</p> <p>8 1701 Market Street</p> <p>Philadelphia, Pennsylvania 19103</p> <p>9 (215) 963-5176</p> <p>elisa.mcenroe@morganlewis.com</p> <p>10 Representing the Defendant ECFMG</p> <p>11 SCHOCOR FEDERICO &amp; STATON, P A</p> <p>BY: BRENT CERYES, ESQ</p> <p>12 1211 St Paul Street</p> <p>Baltimore, Maryland 21202</p> <p>13 (410) 234-1000</p> <p>bceryes@sfsipa.com</p> <p>14 Representing the Plaintiff Monique Russell</p> <p>15 LAW OFFICES OF PETER G ANGELOS</p> <p>16 BY: PAUL M VETTORI, ESQ</p> <p>One Charles Center</p> <p>17 100 N Charles Street, 22nd Floor</p> <p>Baltimore, Maryland 21201</p> <p>18 (410) 649-2000</p> <p>pvettori@lawpga.com</p> <p>19 Representing the Plaintiff Jasmine Riggins</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 2	Page 4
<p>1 INDEX</p> <p>2 ---</p> <p>3 Testimony of: KARA CORRADO</p> <p>4 By Mr. Thronson 5, 247</p> <p>5 By Ms. McEnroe 238</p> <p>6</p> <p>7</p> <p>8 ---</p> <p>9 EXHIBITS</p> <p>10 ---</p> <p>11 EXHIBIT NUMBER DESCRIPTION PAGE MARKED</p> <p>12</p> <p>13 CORRADO-1 Notice of Deposition 7</p> <p>14 CORRADO-2 Credential procedures draft 67</p> <p>15 CORRADO-3 Email 8-6-18 94</p> <p>16 CORRADO-4 Email 1-17-18 112</p> <p>17 CORRADO-5 University of Benin documents 216</p> <p>18 CORRADO-6 Email 2-12-18 227</p> <p>19 CORRADO-7 Letter dated 8-29-2000 238</p> <p>20 CORRADO-8 Email 11-27-17 252</p> <p>21 CORRADO-9 Email 11-28-16 255</p> <p>22</p> <p>23 ---</p> <p>24</p>	Page 3	Page 5
		<p>1 (It is hereby stipulated and</p> <p>2 agreed by and between counsel that</p> <p>3 sealing, certification and filing are</p> <p>4 waived; and that all objections, except</p> <p>5 as to the form of the question, are</p> <p>6 reserved until the time of trial.)</p> <p>7 ---</p> <p>8 KARA CORRADO, after having been</p> <p>9 first duly sworn, was examined and</p> <p>10 testified as follows:</p> <p>11 ---</p> <p>12 DIRECT EXAMINATION</p> <p>13 ---</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. Would you please state your</p> <p>16 name?</p> <p>17 A. Kara Corrado.</p> <p>18 Q. Ms. Corrado, my name is Patrick</p> <p>19 Thronson. I'm an attorney representing the</p> <p>20 plaintiffs in a lawsuit that's been brought</p> <p>21 against ECFMG. We met briefly before the</p> <p>22 deposition, and I appreciate you being here</p> <p>23 today.</p> <p>24 As I understand it, you are here</p>

## KARA CORRADO

<p>1 as a representative of ECFMG?</p> <p>2 A. Yes, that's correct.</p> <p>3 Q. You're providing testimony today</p> <p>4 in the capacity of a representative of ECFMG?</p> <p>5 A. Yes.</p> <p>6 Q. So for clarity sake, I will try</p> <p>7 to refer, ask questions as refer to ECFMG, but</p> <p>8 if I happen to say "U" or something like that,</p> <p>9 if you could just interpret that as referring</p> <p>10 to ECFMG I'd appreciate that?</p> <p>11 A. Yes.</p> <p>12 Q. Do you work at ECFMG?</p> <p>13 A. Yes.</p> <p>14 Q. Can you tell us what ECFMG</p> <p>15 stands for?</p> <p>16 A. Educational Commission for</p> <p>17 Foreign Medical Graduates.</p> <p>18 Q. What is your position there?</p> <p>19 A. I'm the Vice President for</p> <p>20 Operations.</p> <p>21 Q. Is it fair to say you're an</p> <p>22 officer of ECFMG?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 You can answer, if you know.</p>	Page 6	<p>1 A. Yes.</p> <p>2 Q. Do you have full authority to</p> <p>3 speak on behalf of ECFMG with respect to the</p> <p>4 matters of inquiry that are identified within</p> <p>5 the notice?</p> <p>6 MS. McENROE: Objection to form.</p> <p>7 THE WITNESS: Yes.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. Who designated you to testify</p> <p>10 today?</p> <p>11 MS. McENROE: Objection to form,</p> <p>12 and I instruct her not to answer to the</p> <p>13 extent it reveals conversations with</p> <p>14 counsel on the basis of privilege.</p> <p>15 BY MR. THRONSON.</p> <p>16 Q. Let me ask it this way: Did</p> <p>17 anyone at ECFMG designate you or make the</p> <p>18 decision that you would be designated as a</p> <p>19 representative of ECFMG to testify today?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: Representing ECFMG</p> <p>22 at proceedings like this is part of my</p> <p>23 job duties.</p> <p>24 BY MR. THRONSON:</p>	Page 8
<p>1 THE WITNESS: I don't know.</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. Is vice president of ECFMG</p> <p>4 considered an officer of ECFMG?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: I am an executive</p> <p>7 at ECFMG.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. You understand that ECFMG is</p> <p>10 responsible for producing a witness today who's</p> <p>11 prepared to testify as to all of the matters</p> <p>12 that were designated in the notice of</p> <p>13 deposition?</p> <p>14 A. Yes.</p> <p>15 Q. Let me provide that to you.</p> <p>16 MR. THRONSON: We'll mark this.</p> <p>17 - - -</p> <p>18 (Whereupon the document was</p> <p>19 marked, for identification purposes, as</p> <p>20 Exhibit Number CORRADO-1.)</p> <p>21 - - -</p> <p>22 BY MR. THRONSON:</p> <p>23 Q. Ms. Corrado, you've seen this</p> <p>24 notice before?</p>	Page 7	<p>1 Q. Did you confer with anyone at</p> <p>2 ECFMG who made the decision to have you</p> <p>3 designated as a corporate representative today?</p> <p>4 MS. McENROE: Objection to form.</p> <p>5 THE WITNESS: I spoke with my</p> <p>6 senior vice president.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. Who's that?</p> <p>9 A. Lisa Cover.</p> <p>10 Q. Did she make that decision?</p> <p>11 MS. McENROE: Objection to form.</p> <p>12 THE WITNESS: I don't know.</p> <p>13 BY MR. THRONSON:</p> <p>14 Q. What did you all talk about?</p> <p>15 A. I told her I had a deposition</p> <p>16 today.</p> <p>17 Q. What did she say?</p> <p>18 A. Okay.</p> <p>19 Q. Did you talk about your</p> <p>20 testimony at all?</p> <p>21 A. No.</p> <p>22 Q. Did you talk about the notice of</p> <p>23 deposition at all?</p> <p>24 A. Other than the fact that it</p>	Page 9

## KARA CORRADO

<p>1 existed, no.</p> <p>2 Q. You are aware that the answers</p> <p>3 you give to my questions today will be binding</p> <p>4 upon ECFMG?</p> <p>5 MS. McENROE: Objection to form;</p> <p>6 calls for a legal conclusion.</p> <p>7 You may answer.</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Do you agree to have your</p> <p>11 answers to my questions be binding upon ECFMG?</p> <p>12 MS. McENROE: Objection to form;</p> <p>13 calls for a legal conclusion.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. Can you describe your current</p> <p>17 job responsibilities?</p> <p>18 A. As I said, I'm the Vice</p> <p>19 President for Operations. In that role I</p> <p>20 oversee a number of ECFMG's programs and</p> <p>21 services which include our international</p> <p>22 credential services which is known as EPIC; our</p> <p>23 ECFMG certification program; our medical</p> <p>24 education resources team, which is a team that</p>	<p>Page 10</p> <p>1 or eight years, and within the last two years,</p> <p>2 I assumed responsibility for all of the lines</p> <p>3 of service that we have that use primary-source</p> <p>4 verification.</p> <p>5 Q. Who was your predecessor in that</p> <p>6 role in terms of overseeing the primary-source</p> <p>7 verification function at ECFMG?</p> <p>8 A. So our structure is a little bit</p> <p>9 different than it had been in the past, but my</p> <p>10 prior direct supervisor was William Kelly.</p> <p>11 Q. How has your structure changed?</p> <p>12 MS. McENROE: Objection to form.</p> <p>13 BY MR. THRONSON:</p> <p>14 Q. As you refer to?</p> <p>15 A. There are a number of new</p> <p>16 departments and new lines of services. So we</p> <p>17 have a senior vice president now, when we only</p> <p>18 had a vice president of operations in the past.</p> <p>19 Q. You are a senior vice president?</p> <p>20 A. I'm a vice president.</p> <p>21 Q. You're a vice president, okay.</p> <p>22 The senior vice president was Lisa Cover?</p> <p>23 A. Is Lisa Cover.</p> <p>24 Q. Is Lisa Cover, okay. You</p>
<p>1 reviews and contacts medical schools; and our</p> <p>2 special investigations team, and I'm</p> <p>3 responsible for -- as the staff for our</p> <p>4 irregular behavior proceedings at ECFMG.</p> <p>5 Q. When you say you oversee EPIC,</p> <p>6 does that mean that you oversee credentialing</p> <p>7 and primary-source verification of -- strike</p> <p>8 that.</p> <p>9 When you say that you oversee</p> <p>10 EPIC, does that apply to the certification</p> <p>11 process as a whole?</p> <p>12 A. Yes. So it does apply to</p> <p>13 ECFMG's primary-source verification of</p> <p>14 credentials.</p> <p>15 Q. So it's fair to say that you</p> <p>16 oversee the primary-source verification</p> <p>17 function of ECFMG?</p> <p>18 A. Yes.</p> <p>19 Q. How long have you held that</p> <p>20 responsibility?</p> <p>21 A. I have been responsible for some</p> <p>22 of the programs that have primary-source</p> <p>23 verification in them for -- I'm sorry, I have</p> <p>24 to think about it for a second -- about seven</p>	<p>Page 11</p> <p>1 mentioned another -- commission in responsible</p> <p>2 for primary-source verification and the medical</p> <p>3 education resource team, special investigations</p> <p>4 team, and also you're responsible as staff for</p> <p>5 the irregular behavior; is that right?</p> <p>6 A. Yes, that's right.</p> <p>7 Q. I think there was one more that</p> <p>8 I missed? As if that wasn't enough.</p> <p>9 A. Maybe the ECFMG certification</p> <p>10 program that's generally the areas of</p> <p>11 responsibility that I have.</p> <p>12 Q. How would you distinguish your</p> <p>13 responsibilities in the ECFMG certification</p> <p>14 program from your responsibilities in</p> <p>15 overseeing the primary-source verification of</p> <p>16 ECFMG?</p> <p>17 A. How do I distinguish them?</p> <p>18 Q. I guess, how are they different,</p> <p>19 or are they different?</p> <p>20 A. The primary-source verification</p> <p>21 that we do for medical education credentials is</p> <p>22 the same process regardless of the service that</p> <p>23 we are doing primary-source verification for.</p> <p>24 So the process that we use in the ECFMG</p>

## KARA CORRADO

<p>1 certification program, is the same process that  2 the team that is working on our international  3 credential services, it is the same process.  4 Q. How long have you overseen the  5 ECFMG certification program?  6 A. Since -- it's about seven or  7 eight years. Since around -- I'm sorry, let me  8 think about it. No, it's about four or five  9 years.  10 Q. Who was your predecessor in that  11 role?  12 A. That would have been William  13 Kelly.  14 Q. You mentioned also the medical  15 education resource team, can you describe that  16 responsibility for me?  17 A. Yes. That team is the team that  18 communicates with medical schools and  19 hospitals, institutions around the world to  20 collect information that we use in our  21 primary-source verification.  22 Q. What kind of information?  23 A. They will reach out to the  24 medical school officials to determine who are</p>	<p>Page 14  1 for certification?  2 A. Only if the school -- sorry, do  3 you mean, do we reach out to determine who the  4 officials are every time we get an application?  5 Q. Right.  6 A. Okay. So, no. Only if the  7 school is a new school. So if we don't already  8 have the information on file, then we will  9 reach out. If you are an applicant from a  10 school and we've already seen hundreds of  11 classmates of yours, then we don't reach out to  12 the school again because we know who the  13 responsible parties are.  14 Q. How does ECFMG become aware if  15 there's been a change of deans at a school?  16 A. We become aware in a variety of  17 ways. Sometimes there are many schools that  18 will reach out to us proactively because they  19 know we would ask for that information.  20 As I mentioned earlier,  21 sometimes we will see there is a new signatory  22 on a form and before we can accept it, we will  23 clarify with the school if there's been a  24 change; and occasionally, periodically we will</p>
<p>1 the officials of the school, who's the dean,  2 what their signatures look like, what the  3 school seal looks like, and to ask any  4 questions about the medical education at that  5 school; any questions that we may have, that  6 our staff may have.  7 Q. About how often does the medical  8 education resources team reach out to an  9 individual school to update information about  10 deans, seals, signatures, that kind of thing?  11 A. So they reach out on an ad hoc  12 basis depending upon the circumstances. So if  13 it's a new school and we don't know who the  14 officials are, then we, as part of the process  15 of adding a new school, will reach out to get  16 the list.  17 If we receive forms that are  18 signed by an official of the school that has  19 the same title as someone on the list, we will  20 reach out to the school to see if that -- if  21 it's the dean, has the dean been replaced, and  22 get an updated contact information.  23 Q. Does that occur every time you  24 receive an application from an ECFMG candidate</p>	<p>Page 15  1 send out a request to the school if we haven't  2 had an update or if there's some other reason  3 that the coordinator is reaching out to the  4 school. They may notice the list is five years  5 old and while they are reaching out to ask  6 another question, they may ask is everything  7 up-to-date.  8 Q. What does the special  9 investigations team do?  10 A. The special investigations team  11 handles the review of investigation into  12 irregular behavior and also requests for  13 exceptions to ECFMG. They are also responsible  14 for reviewing any potential matches to the  15 specially designated national list which is the  16 department of treasury for OFAC.  17 Q. Just skipping back, how long has  18 the medical education resources team existed?  19 A. It has existed as a department  20 for about four years.  21 Q. Prior to its existence as a  22 department, was there any other department that  23 performed all of the functions that the medical  24 education resources team currently performs?</p>

## KARA CORRADO

<p>1 A. Yes. The department that 2 processed applications for examinations and for 3 ECFMG certification they would do the same type 4 of reach out to medical schools.</p> <p>5 Q. Why was -- why the change in 6 organizational structure to create a separate 7 medical education resources team?</p> <p>8 MS. McENROE: Objection to form. 9 You may answer.</p> <p>10 THE WITNESS: In our 11 credentialing verification services over 12 probably the last five years or so, we 13 have increased the number of regulatory 14 authorities that use our services. In 15 doing that, we've increased the volume 16 and it became apparent to us that we 17 needed to have individuals fully focused; 18 their whole job would be to communicate 19 with medical schools and to get 20 information from them.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. How long has that special 23 investigations team existed?</p> <p>24 A. The special investigations team</p>	<p>1 time any individuals who were responsible for 2 the functions of the special investigations 3 team?</p> <p>4 A. Yes.</p> <p>5 Q. Who were they?</p> <p>6 A. They were William Kelly and 7 Steve Seeling. That would have been sometime 8 around '98 that Steve would have had oversight 9 as he was the vice president of operations.</p> <p>10 Bill, or Bill Kelly, he was 11 responsible, as far as I know, during that time 12 period from '92 to -- well, to 2016 I think, 13 when he retired. So he was involved in that 14 process during that time period.</p> <p>15 Q. Any other individuals you know 16 that were involved, that had a special 17 investigative team type role from 1992 to the 18 time in which the special investigations team 19 as a department was created?</p> <p>20 A. Yes. So I started working on 21 those types of cases in 2008. In a similar 22 role that my special investigations team does 23 now.</p> <p>24 MR. VETTORI: I didn't hear --</p>
<p>1 has existed as the department of special 2 investigations for about the same amount of 3 time, four to five years.</p> <p>4 Q. Why did it come to be?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: So, similar to the 7 answer that I just gave you about the 8 medical education resources team, we 9 increased our volume of credentials that 10 we are verifying and exponentially that 11 would increase the number of 12 investigations that we would need to do.</p> <p>13 So there wasn't a department 14 called special investigations prior to 15 that time, however, there were personnel 16 assigned to the same type of work.</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. So obviously in this case as you 19 probably know we're talking about a period of 20 time from 1992 to 2017, in terms of conduct and 21 issues that are the focus of the case. You are 22 aware of that?</p> <p>23 A. Yes.</p> <p>24 Q. Do you know over that period of</p>	<p>1 THE WITNESS: 2008.</p> <p>2 MR. VETTORI: Thank you, very 3 much.</p> <p>4 THE WITNESS: Now, we have 5 Virginia Kesting who is currently in the 6 special investigations department. She 7 was working on those types of cases 8 probably from around 2001, around that 9 time period; and there was another woman 10 prior to that who is long retired who did 11 administrative work in coordinating the 12 meetings of the medical education 13 credentials committee.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. Do you remember her name?</p> <p>16 A. Her name was Connie. I don't 17 remember her last name, I'm sorry.</p> <p>18 Q. That's fine. Anybody else?</p> <p>19 A. Not that I'm aware of.</p> <p>20 Q. Have you been deposed before?</p> <p>21 A. About this or in general?</p> <p>22 Q. Yes.</p> <p>23 A. No, I don't think so.</p> <p>24 Q. Have you testified at trial</p>

## KARA CORRADO

<p>1 before?</p> <p>2 A. Yes.</p> <p>3 Q. How many times?</p> <p>4 A. I testified before a grand jury.</p> <p>5 Is that what you're asking about?</p> <p>6 Q. Any type of court proceeding?</p> <p>7 A. So twice, I think.</p> <p>8 Q. So you testified; one time was</p> <p>9 before a grand jury?</p> <p>10 A. Yes.</p> <p>11 Q. Did that involve this case?</p> <p>12 A. No.</p> <p>13 Q. What type of matter generally</p> <p>14 did it involve?</p> <p>15 MS. McENROE: Objection. Just</p> <p>16 to preserve the record and make sure -- I</p> <p>17 don't know what sort of instructions you</p> <p>18 were provided in conjunction with the</p> <p>19 Grand Jury and whether the subject of it</p> <p>20 is allowed to be public or not.</p> <p>21 So I just want to make sure that</p> <p>22 you are comfortable with providing the</p> <p>23 responses to the questions that you've</p> <p>24 been asked.</p>	<p>Page 22</p> <p>1 Q. What type of matter?</p> <p>2 A. That is related to -- it's a</p> <p>3 matter regarding a medical school.</p> <p>4 Q. Had you provided any other</p> <p>5 testimony under oath besides on those two</p> <p>6 occasions and our conversation today?</p> <p>7 A. No. Not that I can recall.</p> <p>8 Q. Have you ever reviewed any</p> <p>9 matters as an expert witness?</p> <p>10 A. No.</p> <p>11 Q. Did you prepare for the</p> <p>12 deposition today?</p> <p>13 A. In what way? Sorry.</p> <p>14 Q. I guess, let me ask this. I'm</p> <p>15 sure you did. How did you prepare for the</p> <p>16 deposition today?</p> <p>17 A. I looked over the documents.</p> <p>18 Q. Which documents?</p> <p>19 A. The legal documents and also the</p> <p>20 bunch of documents from the file.</p> <p>21 Q. The legal documents mean filings</p> <p>22 in this case?</p> <p>23 A. Yes.</p> <p>24 Q. To your knowledge, did all the</p>
<p>1 THE WITNESS: Okay.</p> <p>2 MS. McENROE: If you're not, you</p> <p>3 don't have to.</p> <p>4 THE WITNESS: Okay.</p> <p>5 MR. THRONSON: Usually grand</p> <p>6 jury secrecy doesn't apply to the</p> <p>7 witness.</p> <p>8 MS. McENROE: She also just</p> <p>9 testified it has nothing to do with this</p> <p>10 case.</p> <p>11 THE WITNESS: I don't remember</p> <p>12 what the instructions were. It was a</p> <p>13 long time ago.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. Was it a matter that was similar</p> <p>16 at all to this case?</p> <p>17 A. No.</p> <p>18 Q. Did it involve ECFMG</p> <p>19 certification of a physician?</p> <p>20 A. No.</p> <p>21 Q. You mentioned another matter</p> <p>22 that you testified in, what was that?</p> <p>23 A. That was a preliminary</p> <p>24 injunction hearing.</p>	<p>Page 23</p> <p>1 documents that you reviewed to the best of the</p> <p>2 your recollection have a Bates stamp on them?</p> <p>3 A. Yes, to the best of my</p> <p>4 recollection.</p> <p>5 Q. Did you review any material that</p> <p>6 you're aware that a privilege is being asserted</p> <p>7 regarding...</p> <p>8 MS. McENROE: Objection to form.</p> <p>9 MR. THRONSON: Let me ask that</p> <p>10 differently.</p> <p>11 BY MR. THRONSON:</p> <p>12 Q. Did you review any information</p> <p>13 that is privileged or that ECFMG might assert a</p> <p>14 claim of privilege about?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. About how many hours did you</p> <p>17 spend reviewing today -- preparing for the</p> <p>18 deposition today? Sorry.</p> <p>19 A. Probably around eight.</p> <p>20 Q. Did you do anything else besides</p> <p>21 review the documents in preparation for the</p> <p>22 deposition today?</p> <p>23 A. No.</p> <p>24 Q. Just to cover my bases. Did you</p>

## KARA CORRADO

<p>1 speak with anyone about the deposition today?</p> <p>2 A. Yes.</p> <p>3 Q. Who did you speak to?</p> <p>4 A. Elisa and Matthew.</p> <p>5 Q. Anybody else?</p> <p>6 A. No.</p> <p>7 Q. I guess you had a brief</p> <p>8 conversation with Lisa Cover?</p> <p>9 A. Oh, yes. I mean with respect to</p> <p>10 I'm not going to be at work today because I</p> <p>11 have a deposition.</p> <p>12 Q. Anyone else besides her at</p> <p>13 ECFMG?</p> <p>14 A. I probably told -- my admin</p> <p>15 probably told the team I was at a deposition</p> <p>16 today.</p> <p>17 Q. So the only people you spoke to</p> <p>18 about the substance of the deposition were</p> <p>19 counsel for ECFMG at Morgan Lewis?</p> <p>20 A. Yes.</p> <p>21 Q. Did you learn any facts from</p> <p>22 counsel that you weren't aware of in your</p> <p>23 review of the documents or your experience</p> <p>24 regarding the matters that are an issue in this</p>	<p>Page 26</p> <p>1 that are -- I guess in preparation for the</p> <p>2 deposition today?</p> <p>3 A. I'm sorry. Can you say that</p> <p>4 again?</p> <p>5 Q. You mentioned you didn't speak</p> <p>6 with anyone other than Counsel about the</p> <p>7 substance of the deposition. Did you</p> <p>8 correspond with anyone in writing about the</p> <p>9 substance of the deposition?</p> <p>10 A. No.</p> <p>11 Q. Do you believe that everything</p> <p>12 possible has been done to investigate and</p> <p>13 gather all information known or reasonably</p> <p>14 available to ECFMG to respond fully and</p> <p>15 completely to the matters of inquiry listed on</p> <p>16 the notice of deposition?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: Yes, that's my</p> <p>19 understanding.</p> <p>20 BY MR. THRONSON:</p> <p>21 Q. To ensure that a court and jury</p> <p>22 would have all the information available for it</p> <p>23 to make a determination of the facts on the law</p> <p>24 in this case, do you think anything else could</p>
<p>1 case?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 I'll just caution you not to devil with</p> <p>4 privileged information. Counsel is</p> <p>5 specifically asking about facts you may</p> <p>6 have learned, as opposed to advice or</p> <p>7 substantive input or whatnot, guidance.</p> <p>8 MR. THRONSON: Exactly.</p> <p>9 THE WITNESS: So there were no</p> <p>10 new facts that I learned.</p> <p>11 BY MR. THRONSON:</p> <p>12 Q. About how much time did you</p> <p>13 spend with Counsel in preparation for the</p> <p>14 deposition today?</p> <p>15 A. About the same amount of time,</p> <p>16 maybe a little bit less.</p> <p>17 Q. Same amount of time?</p> <p>18 A. I'm sorry. As I answered</p> <p>19 previously, in looking over the document.</p> <p>20 Q. So you spent about 8 hours</p> <p>21 reviewing documents --</p> <p>22 A. And about 7 maybe with Counsel.</p> <p>23 Q. Okay. Did anyone provide you</p> <p>24 any information in writing regarding subjects</p>	<p>Page 27</p> <p>Page 29</p> <p>1 have been done to gather information relevant</p> <p>2 to this case?</p> <p>3 MS. McENROE: Objection to form.</p> <p>4 BY MR. THRONSON:</p> <p>5 Q. Relevant to the matters of</p> <p>6 inquiry in the notice of deposition?</p> <p>7 MS. McENROE: Objection to form.</p> <p>8 THE WITNESS: Not that I'm aware</p> <p>9 of.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. Are there any documents that you</p> <p>12 believe have not been made available to the</p> <p>13 plaintiffs?</p> <p>14 A. No.</p> <p>15 Q. What has been your involvement</p> <p>16 in the litigation so far apart from testifying</p> <p>17 today?</p> <p>18 MS. McENROE: Objection to form;</p> <p>19 just insofar it could divulge privileged</p> <p>20 communications, but separate from that</p> <p>21 you may answer in terms of the nuts and</p> <p>22 bolts of things you might have done.</p> <p>23 THE WITNESS: For the</p> <p>24 litigation?</p>

## KARA CORRADO

<p>1                   MR. THRONSON: Right.</p> <p>2                   THE WITNESS: So I have not been</p> <p>3                   involved other than helping to produce</p> <p>4                   documents, locating the file, organizing,</p> <p>5                   those types of things.</p> <p>6 BY MR. THRONSON:</p> <p>7                   Q.     I believe you may have assisted</p> <p>8                   in providing answers to interrogatories?</p> <p>9                   A.     Yes.</p> <p>10                  Q.     Did you help in drafting the</p> <p>11                  answer to the Complaint or providing</p> <p>12                  information regarding the answer to the</p> <p>13                  Complaint?</p> <p>14                  A.     Yes.</p> <p>15                  Q.     When did you first become aware</p> <p>16                  of the lawsuit?</p> <p>17                  A.     So I can't remember the date,</p> <p>18                  but right around at time the information was</p> <p>19                  provided to ECFMG.</p> <p>20                  Q.     Is that lawsuit the only claim</p> <p>21                  that you are aware of that has been asserted or</p> <p>22                  that you're aware of as a potential claim</p> <p>23                  against ECFMG regarding the conduct of Igberase</p> <p>24                  Akoda?</p>	Page 30	<p>1 European studies and Russian from Saint Joe's</p> <p>2 University in Philadelphia. I also have a law</p> <p>3 degree from Temple University and a Master of</p> <p>4 Liberal Arts from the University of</p> <p>5 Pennsylvania.</p> <p>6                   Q.     When did you get your law</p> <p>7                   degree?</p> <p>8                   A.     2007.</p> <p>9                   Q.     Your MLA what is that?</p> <p>10                  A.     The master of liberal arts?</p> <p>11                  Q.     Right.</p> <p>12                  A.     Which school or...</p> <p>13                  Q.     I guess was it for writing or --</p> <p>14                  A.     It's a liberal arts master</p> <p>15                  degree so it covered a variety of essentially</p> <p>16                  electives in college of general studies at the</p> <p>17                  University of Pennsylvania so there is no</p> <p>18                  specific major or focus in the degree.</p> <p>19                  Q.     Why did you pursue that degree?</p> <p>20                  A.     I pursued that degree shortly</p> <p>21                  after I graduated from Saint Joe's because I</p> <p>22                  was not sure what I wanted to do in terms of</p> <p>23                  continuing my education; and to be perfectly</p> <p>24                  honest with you, the program was easy and you</p>	Page 32
<p>1                   A.     I am not aware of any other</p> <p>2                  litigation that ECFMG is involved in.</p> <p>3                   Q.     Are you aware of any other</p> <p>4                  litigation that ECFMG is involved in regarding</p> <p>5                  the allegations that ECFMG negligently</p> <p>6                  performed its function in terms of</p> <p>7                  primary-source verification of a physician or</p> <p>8                  something similar?</p> <p>9                  MS. McENROE: Objection to form.</p> <p>10                  THE WITNESS: No, not that I'm</p> <p>11                  aware of.</p> <p>12 BY MR. THRONSON:</p> <p>13                  Q.     Are you aware of any claim in</p> <p>14                  the past that's been asserted against ECFMG</p> <p>15                  regarding, alleging, that ECFMG negligently</p> <p>16                  certified an international medical graduate?</p> <p>17                  MS. McENROE: Objection to form.</p> <p>18                  THE WITNESS: Not that I'm aware</p> <p>19                  of.</p> <p>20 BY MR. THRONSON:</p> <p>21                  Q.     Could you give me your</p> <p>22                  educational background since high school?</p> <p>23                  A.     I have a bachelors degree in</p> <p>24                  international relations with a minor in Eastern</p>	Page 31	<p>1 didn't have to take GREs to get into it and I</p> <p>2 thought it would look good on my resume if I</p> <p>3 had a degree from the University of</p> <p>4 Pennsylvania.</p> <p>5                   Q.     That sounds great. What jobs</p> <p>6                  have you held since you graduated from college?</p> <p>7                  A.     So I starting working at ECFMG</p> <p>8                  two months after I graduated from college.</p> <p>9                  Q.     What year was that?</p> <p>10                 A.     1998.</p> <p>11                 Q.     Okay.</p> <p>12                 A.     I left because I moved in 1999,</p> <p>13                 and I worked at Gucci as a sales associate, and</p> <p>14                 then I came back to Philadelphia in 2001 and</p> <p>15                 started working at ECFMG again in May of 2001</p> <p>16                 until now.</p> <p>17                 Q.     Do you know approximately when</p> <p>18                 you left ECFMG?</p> <p>19                 A.     September 1999.</p> <p>20                 Q.     Was there any other reason other</p> <p>21                 than your relocation?</p> <p>22                 A.     No.</p> <p>23                 Q.     Why did you decide to come back?</p> <p>24                 A.     Because my wedding was called</p>	Page 33

## KARA CORRADO

<p>1 off so I came back to Philadelphia, to home.  2 Q. Can you tell me what your  3 positions were at ECFMG both before and after;  4 I guess in your initial employment and then  5 your second?  6 A. Yes. I was hired as an  7 applicant information services representative.  8 Then when I came back -- I got that job and  9 that's what I left in 1999 as.  10 When I came back in 2001, I got  11 the same job back as an applicant information  12 services representative. I was promoted in  13 that same department to a senior advisor, I  14 think the title was.  15 Then I was assistant manager of  16 the credentials department, and I was assistant  17 manger of the registration and credentials  18 department. Then I was the manager of the  19 operations program development department.  20 Then I became director of credentialing  21 services. Then assistant vice president for  22 operations, and then vice president for  23 operations.  24 Q. Can you remind me of about when</p>	<p>Page 34</p> <p>1 credential services -- I'm sorry, assistant  2 vice president in 2015 or '16. And then vice  3 president in 2018; give or take.  4 Q. Understood. Understood. You  5 mentioned earlier one other job responsibility  6 that you were responsible as staff with respect  7 to the irregular behavior function of ECFMG.  8 Is that a fair way to describe it?  9 A. Yes.  10 Q. Can you tell me what your role  11 is there?  12 A. My role is to run the, from a  13 staff perspective, I run the administrative  14 hearing that we have at our board of trustees  15 which is the medical education credentials  16 committee.  17 I'm responsible for sending out  18 charges of irregular behavior. So I have  19 oversight of the team that are doing the  20 investigations, the letters go out under my  21 name; and that also includes exceptions,  22 requests for exceptions to our policies, that  23 committee hears both types of matters.  24 Q. How long have you held that</p> <p>Page 36</p>
<p>1 you became director of credentialing services?  2 A. Around 2013.  3 Q. Before that, it sounds like you  4 had some supervisory authority over the  5 credentialing functioning at ECFMG. When did  6 you -- I guess you started out in terms of a  7 managerial type role as an assistant manager of  8 the credentials department?  9 A. That's correct.  10 Q. When did that happen?  11 A. 2004.  12 Q. Then can you kind of give me the  13 years, I guess, between 2004 and 2013 as to  14 when your positions changed?  15 A. Sure. 2004 to 2005 it was about  16 one year I was the assistant manager of the  17 credentials department. Then the registration  18 department and the credentials department  19 merged so I became the assistant manager of the  20 merged departments which was registration and  21 credentials.  22 Then in 2008 I became the  23 manager of the operations program development,  24 and then around 2013 I became director of</p>	<p>Page 35</p> <p>1 position?  2 A. About four years in running the,  3 you know, in direct oversight in running the  4 administrative hearing.  5 Q. Who preceded you in that role?  6 A. That was Bill Kelly.  7 Q. Is there anyone that works  8 alongside of you as staff in irregular behavior  9 function?  10 A. So alongside you mean, has the  11 same responsibilities or works --  12 Q. Is there any other staff?  13 A. Yes. The special investigations  14 department.  15 Q. You may have told me this, I'm  16 sorry, but who else works in the special  17 investigations department?  18 A. There's a manager, Scott Mealey,  19 and there are three case managers.  20 Q. Can you spell Mr. Mealey's name?  21 A. Yes, M-e-a-l-e-y.  22 Q. Who are the three case managers?  23 A. Virginia Kesting, Rosemary  24 Carlin, and Svetlana Gridneva.</p> <p>Page 37</p>

## KARA CORRADO

<p style="text-align: right;">Page 38</p> <p>1 Q. Is the medical education 2 credentials committee a committee of the board 3 above trustees?</p> <p>4 A. Yes, it's a subcommittee.</p> <p>5 Q. So its membership is comprised 6 entirely of members of the board of trustees?</p> <p>7 MS. McENROE: Objection to form.</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. About how long has that 11 committee existed?</p> <p>12 A. Since about 1986.</p> <p>13 Q. Before your current, I guess, 14 managerial role in overseeing the irregular 15 behavior function, did you work as staff with 16 respect to that function at ECFMG?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: Yes.</p> <p>19 BY MR. THRONSON:</p> <p>20 Q. What roles did you have in that; 21 is it a department of ECFMG?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: So the special 24 investigations is a department. Prior to</p>	<p style="text-align: right;">Page 40</p> <p>1 THE WITNESS: ECFMG serves the 2 public in a number of ways. Our original 3 program which was the certification 4 program serves the public in ensuring 5 that those physicians that are educated 6 outside of the U.S. and Canada meet 7 certain minimum requirements in order to 8 enter an accredited residency program in 9 the United States.</p> <p>10 We also serve the public in 11 facilitating an appropriate review of 12 them, at the same time making sure that 13 we are efficient about doing it, because 14 IMGs -- or International Medical 15 Graduates represent about 25 percent of 16 the physicians that are working in the 17 United States.</p> <p>18 So it's important from a 19 physician-workforce point of view to make 20 sure we have qualified physicians. So in 21 those two broad ways I would say that we 22 serve the public.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. How does ECFMG serve medical</p>
<p style="text-align: right;">Page 39</p> <p>1 special investigations and the addition 2 of case managers, it fell under the 3 purview of the associate vice president, 4 who was Bill Kelly, and I, at the time, a 5 manager of operations program 6 development.</p> <p>7 So Bill, myself, and Virginia 8 Kesting, who reported to me, we were the 9 folks working on the irregular behavior. 10 So in that respect when I was working for 11 Bill, I was staff.</p> <p>12 BY MR. THRONSON:</p> <p>13 Q. When did you get involved in 14 work on irregular behavior matters?</p> <p>15 A. That was around 2008 when I 16 moved -- changed position.</p> <p>17 Q. So the staff for the irregular 18 behavior is part of the special investigations 19 team?</p> <p>20 A. That is the special 21 investigations team now, yes.</p> <p>22 Q. Okay. Got it. How does ECFMG 23 serve the public?</p> <p>24 MS. McENROE: Objection to form.</p>	<p style="text-align: right;">Page 41</p> <p>1 residency programs?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: So ECFMG has a 4 certification program that is required 5 for entrance into ACGME accredited 6 residency programs.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. Any other ways in which ECFMG 9 severs medical residency programs?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: So we also have an 12 exchange visitor sponsorship program. We 13 are responsible for physicians who are 14 seeking residency and training in the 15 United States on a J-1 nonimmigrant 16 step.</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. Beyond the ways in which you 19 serve medical residency programs that you 20 described, how else does ECFMG serve hospitals?</p> <p>21 MS. McENROE: Objection to form.</p> <p>22 THE WITNESS: I don't know that 23 I would say that we serve hospitals, 24 however, we do provide a service for</p>

## KARA CORRADO

<p>1 employers that will verify the 2 certification status of an IMG which is 3 typically required when physicians, who 4 are IMGs, are attempting to get 5 credentialing privileges at hospitals.</p> <p>6 BY MR. THRONSON:</p> <p>7 Q. Hospitals rely on ECFMG to 8 provide that service?</p> <p>9 MS. McENROE: Objection to form.</p> <p>10 THE WITNESS: I think that 11 hospitals, either in-house or through a 12 third party, CVO, collect the 13 verification information on the 14 physicians which include the verification 15 report of an ECFMG certified physician.</p> <p>16 BY MR. THRONSON:</p> <p>17 Q. Do hospitals -- strike that. Do 18 hospitals rely on ECFMG to provide 19 primary-source verification of a physician's 20 medical credentials as part of the application 21 process?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: I'm not sure if 24 hospitals have a requirement to</p>	<p>Page 42</p> <p>1 typically verify that information. 2 So, yes, lots of hospitals are 3 requesting reports from us as part of 4 their routine, I think, credentialing of 5 the physicians that are working in their 6 hospitals.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. What's in an ECFMG report to the 9 hospital?</p> <p>10 A. The status report would contain 11 the physician's name; date of birth; the name 12 of the medical school, and the country of the 13 medical school where they went to school; their 14 year of graduation; whether or not they are 15 ECFMG certified, and what the validity of that 16 certification is, whether it's valid 17 indefinitely or expired, et cetera; and there 18 may be score information on examinations, it 19 depends on who the recipient of the report is.</p> <p>20 Q. Was that also true back in the 21 late 1990s when Akoda was applying for 22 residency programs?</p> <p>23 A. Yes.</p> <p>24 Q. Was that also true in the</p>
<p>1 primary-source verified medical education 2 credentials.</p> <p>3 If they do, they can use an 4 ECFMG certification report to indicate 5 whether or not a physician is certified 6 by ECFMG which would include 7 primary-source verification of their 8 medical education credentials.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. You're aware that hospitals do 11 use ECFMG for that purpose?</p> <p>12 A. Yes.</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. Do a lot of hospitals use ECFMG 16 for that purpose?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: So I don't know 19 that I could say what the hospital's 20 purpose is in using the certification 21 report, but I can tell you that 22 physicians are required to be ECFMG 23 certified; and as part of the 24 credentialing process, the hospitals will</p>	<p>Page 43</p> <p>Page 45</p> <p>1 mid-2000s when Akoda was applying for residency 2 programs?</p> <p>3 A. Yes.</p> <p>4 Q. During those two time frames, I 5 guess, from 1996 to the present, is it fair to 6 say that ECFMG undertook to provide medical 7 residency programs with information regarding 8 ECFMG certification and acted essentially as a 9 dean's office for those programs?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: So it's fair to 12 say that ECFMG would provide the 13 certification status reports to residency 14 programs to which the physician would 15 apply.</p> <p>16 In some cases that's electronic 17 and in some cases it was paper, depending 18 upon the year.</p> <p>19 BY MR. THRONSON:</p> <p>20 Q. Is it fair to say that from 1996 21 to the present -- let me back up. Why is that 22 service that you provided to medical residency 23 programs, that we've been discussing, why is 24 that important?</p>

## KARA CORRADO

<p>1 MS. McENROE: Objection to form.</p> <p>2 THE WITNESS: The certification</p> <p>3 verification service?</p> <p>4 MR. THRONSON: Right.</p> <p>5 THE WITNESS: Because the ACGME</p> <p>6 which is the accreditation council for</p> <p>7 graduate medical education, determined</p> <p>8 that it would use ECFMG certification for</p> <p>9 international medical graduates as one of</p> <p>10 the requirements for entrance into those</p> <p>11 residency programs.</p> <p>12 BY MR. THRONSON:</p> <p>13 Q. Is it important to promote</p> <p>14 public health?</p> <p>15 A. I don't -- I think it's</p> <p>16 important because it demonstrates to the</p> <p>17 program that that physician has met the minimum</p> <p>18 requirements to enter GME in the United States.</p> <p>19 Q. Why is that important?</p> <p>20 A. That's important because the</p> <p>21 organizations like the residency programs have</p> <p>22 the requirement that there is a standard, a</p> <p>23 minimum standard, for those physicians because</p> <p>24 there's a variance in medical education</p>	<p>Page 46</p> <p>1 MS. McENROE: Objection.</p> <p>2 THE WITNESS: Primary-source</p> <p>3 verification of an applicant's medical</p> <p>4 education credentials is the best</p> <p>5 practice in medical regulation.</p> <p>6 So the international association</p> <p>7 of medical regulatory authorities has</p> <p>8 indicated to regulatory authorities</p> <p>9 around the world that it's the best</p> <p>10 practice, you should go directly to the</p> <p>11 source to determine if someone has an</p> <p>12 education that they purport to have or</p> <p>13 not.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. That's been true from 1996 to</p> <p>16 the present, at least?</p> <p>17 A. Yes, that's true. Well, I don't</p> <p>18 know if the international association has</p> <p>19 promoted it since then, but for ECFMG that has</p> <p>20 been our practice since 1996 until now.</p> <p>21 Q. Sounds like, also, ECFMG has</p> <p>22 undertaken a responsibility to provide</p> <p>23 hospitals with information regarding ECFMG</p> <p>24 certification of applicants, correct?</p>
<p>1 worldwide.</p> <p>2 So I don't know when the ACGME</p> <p>3 determined that in order to accept</p> <p>4 international graduates they would have this</p> <p>5 requirement of certification; but I think it's</p> <p>6 important for them from a credentialing</p> <p>7 perspective to make sure to know what the</p> <p>8 status of the person is entering their program.</p> <p>9 Q. Part of ECFMG's mission is to</p> <p>10 promote public health, correct?</p> <p>11 A. Part of ECFMG's mission is to</p> <p>12 promote public health and to protect the</p> <p>13 public, yes.</p> <p>14 Q. Is part of ECFMG's mission also</p> <p>15 to promote patient safety?</p> <p>16 MS. McENROE: Objection to form.</p> <p>17 THE WITNESS: ECFMG's mission is</p> <p>18 broader in terms of what we state about</p> <p>19 the improvement of the world's health</p> <p>20 essentially.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. Why is primary-source</p> <p>23 verification of an applicant's identity and</p> <p>24 credentials important?</p>	<p>Page 47</p> <p>Page 49</p> <p>1 MS. McENROE: Objection to form.</p> <p>2 THE WITNESS: So we have a</p> <p>3 service that hospitals can use to verify</p> <p>4 certification status of physicians.</p> <p>5 BY MR. THRONSON:</p> <p>6 Q. About how long has that service</p> <p>7 existed?</p> <p>8 A. I don't know when the service</p> <p>9 started, but the service was in existence at</p> <p>10 least from the 1990s, early 1990s onward. I</p> <p>11 believe it existed even prior to that. I just</p> <p>12 don't have knowledge as to when exactly the</p> <p>13 program started.</p> <p>14 Q. You are aware that hospitals</p> <p>15 have an obligation to verify credentials of</p> <p>16 physicians who apply to a hospital for medical</p> <p>17 privileges?</p> <p>18 MS. McENROE: Objection to form.</p> <p>19 THE WITNESS: That's my</p> <p>20 understanding.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. Is it also your understanding</p> <p>23 that the joint commission has opined that</p> <p>24 hospitals can rely on reports from ECFMG to</p>

## KARA CORRADO

<p>1 satisfy that obligation?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: I'm aware that the</p> <p>4 joint commission has recognized the</p> <p>5 ECFMG's certification status report as</p> <p>6 meeting their requirements for</p> <p>7 primary-source verification of</p> <p>8 credentials.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Is that -- the service that</p> <p>11 we've been discussing, that ECFMG provides to</p> <p>12 hospitals, is that also part of ECFMG's role in</p> <p>13 promoting public health as it sees it?</p> <p>14 MS. McENROE: Objection to form.</p> <p>15 THE WITNESS: I'm sorry. Can</p> <p>16 you ask me that again?</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. Sure. Does the service you</p> <p>19 provide to hospitals, in terms of information</p> <p>20 about ECFMG certification, does that align with</p> <p>21 the organization's role in promoting public</p> <p>22 health and safety?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: So I think that</p>	<p>Page 50</p> <p>1 A. Yes.</p> <p>2 Q. And you are aware that that's</p> <p>3 part of the hospital's process of determining</p> <p>4 whether a hospital will grant medical</p> <p>5 privileges to physicians to practice at that</p> <p>6 hospital?</p> <p>7 MS. McENROE: Objection to form.</p> <p>8 THE WITNESS: Yes, that's my</p> <p>9 understanding.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. Do you believe patients have the</p> <p>12 right to be treated by physicians who are</p> <p>13 appropriately credentialed?</p> <p>14 MS. McENROE: Objection to form.</p> <p>15 THE WITNESS: Yes.</p> <p>16 BY MR. THRONSON:</p> <p>17 Q. Do you believe patients have the</p> <p>18 right to be treated by a physician who did not</p> <p>19 obtain ECFMG certification through</p> <p>20 misrepresentations?</p> <p>21 MS. McENROE: Objection to form.</p> <p>22 THE WITNESS: So the question is</p> <p>23 do I...</p> <p>24 BY MR. THRONSON:</p>
<p>1 aligns to our mission as it relates to</p> <p>2 public health in that we are certifying</p> <p>3 the authenticity of a certificate, or the</p> <p>4 validity of a certificate, to the</p> <p>5 hospital so they have that information so</p> <p>6 they can, as I mentioned earlier, bring</p> <p>7 on the physician if that's part of their</p> <p>8 requirements.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Is it fair to say that ECFMG</p> <p>11 supplements a hospital's function of verifying</p> <p>12 the credentials of medical residents and</p> <p>13 doctors?</p> <p>14 MS. McENROE: Objection to form.</p> <p>15 THE WITNESS: I don't know what</p> <p>16 the process is for all the hospitals or</p> <p>17 all the residency programs. So I don't</p> <p>18 know that I could say that.</p> <p>19 BY MR. THRONSON:</p> <p>20 Q. It sounds like ECF -- you are</p> <p>21 aware that as part of a credentialing process</p> <p>22 the hospital or residency program will request</p> <p>23 information from ECFMG regarding whether an</p> <p>24 applicant is ECFMG certified?</p>	<p>Page 51</p> <p>1 Q. Sure. Do you believe patients</p> <p>2 have the right to be treated by physicians who</p> <p>3 did not obtain ECFMG certification through</p> <p>4 misrepresentations?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 BY MR. THRONSON:</p> <p>7 Q. That is who obtained ECFMG</p> <p>8 certification by providing accurate</p> <p>9 information?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: So you're asking,</p> <p>12 if they have the right not to be; is that</p> <p>13 what you said? I'm sorry.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. No, it's okay. It's my fault.</p> <p>16 Do you believe that patients have the right to</p> <p>17 not be treated by physicians who have obtained</p> <p>18 ECFMG certification based on false pretenses?</p> <p>19 MS. McENROE: Objection to form.</p> <p>20 THE WITNESS: Yes.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. Do you believe in providing the</p> <p>23 services that we've been discussing to</p> <p>24 hospitals and residency programs that ECFMG is</p>

## KARA CORRADO

<p>1 obligated to exercise reasonable care in 2 performing those services?</p> <p>3 MS. McENROE: Objection to form; 4 calls for legal conclusion as does this 5 whole line of questioning.</p> <p>6 THE WITNESS: So ECFMG has a set 7 of policies and procedures that it 8 enforces when it is processing applicants 9 or certifying them.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. Okay. Is following -- does 12 ECFMG have the obligation to follow those 13 policies and procedures?</p> <p>14 MS. McENROE: Objection to form; 15 also calls for legal conclusion.</p> <p>16 THE WITNESS: I mean ECFMG, I 17 think, like any organization will follow 18 its policies and procedures and the 19 staff will follow the policies and 20 procedures, and in the course of their 21 normal work will be working to make sure 22 they are appropriately following those 23 policies and procedures.</p> <p>24 BY MR. THRONSON:</p>	<p>Page 54</p> <p>1 procedures, and we also have an 2 information booklet that's updated yearly 3 that contains all of the policies related 4 to ECFMG certification; eligibility for 5 certification, eligibility for 6 examinations, and those types of 7 policies.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. How about -- strike that. Has 10 it had irregular behavior policies continuously 11 from 1996 to the present?</p> <p>12 A. Yes, that's my understanding.</p> <p>13 Q. Are there any internal irregular 14 behavior polices that are not necessarily 15 published on a website or in a booklet for the 16 benefit of IMGs?</p> <p>17 So basically internal procedures 18 that govern the operation of ECFMG with respect 19 to irregular behavior?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: So there are 22 policies that are published on the 23 website, but there are also procedures 24 that staff would follow in terms of</p>
<p>1 Q. Can you tell me about the 2 various categories of policies and procedures 3 that have applied perhaps at different times 4 from 1996 to the present with respect to ECFMG 5 certification of IMGs?</p> <p>6 MS. McENROE: Objection to form; 7 calls for a narrative.</p> <p>8 You can answer if you can.</p> <p>9 THE WITNESS: So there are 10 myriad policies and procedures that would 11 apply to ECFMG certification. Is there a 12 specific one or type of policy that you 13 are interested in?</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. What I'm thinking of, is there a 16 set of policies on irregular behavior called 17 irregular behavior policies; is there a set of 18 policies called how to perform primary-source 19 verification of the diploma?</p> <p>20 Just sort of broad categories of 21 policies or names of sets of policies?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: So ECFMG has 24 irregular behavior policies and</p>	<p>Page 55</p> <p>1 preparing cases for the committee and 2 sending letters out and things like that 3 that are not necessarily published.</p> <p>4 BY MR. THRONSON:</p> <p>5 Q. One of the things that we've 6 been seeking in this case is just to get all 7 the relevant sets of polices and procedures, 8 and we have gotten some, but I'm trying to get 9 a sense of the universe of documents that might 10 be relevant to this case just so we have a full 11 picture of what ECFMG polices are.</p> <p>12 So if we were to, say, request 13 polices from the organization obviously one set 14 of polices that we would request would be -- 15 actually have some meaning, would be a request 16 for the irregular behavior policies and 17 procedures, right?</p> <p>18 MS. McENROE: Objection to form.</p> <p>19 THE WITNESS: (Nonverbal 20 response.)</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. Is there another set of polices 23 called -- that governs when to refer cases to 24 the credentialing committee?</p>

## KARA CORRADO

<p>1     A.    There are procedures that we 2 follow that would govern that. 3     Q.    What are those called? 4     A.    I'm not sure that they 5 necessarily have a set name. It would just be 6 our internal procedures. 7     Q.    Do you remember the title of any 8 of those internal procedures or a number? 9     A.    We have a draft, a document that 10 is labeled draft procedures that captures the 11 procedures for irregular behavior. 12    Q.    What does -- can you sort of 13 generally describe what that draft procedure 14 document contains? 15           MS. McENROE: Objection to form. 16           THE WITNESS: It essentially 17 contains guidelines in reviewing cases or 18 matters that come before the staff that 19 are working on those investigations; how 20 we process the investigations. 21 BY MR. THRONSON: 22    Q.    The organization uses that draft 23 document essentially as a formal policy 24 governing the performance of irregular behavior</p>	<p>Page 58</p> <p>1 on our website and that is given to 2 individuals. 3           The document that I'm referring 4 to that says "draft" is the procedures that 5 staff had been doing probably -- was probably 6 drafted around 2015 time frame, was put to 7 paper in 2015. 8     Q.    Did any procedure exist before 9 that time that applied to how the organization 10 should conduct irregular behavior 11 investigations and when the staff should refer 12 matters to the creds committee? 13    A.    Yes, those procedures that were 14 documented in 2015 were the procedures that 15 staff had been using at least since I started 16 working directly on cases of irregular 17 behavior, which is 2008 onward, and my 18 understanding would be prior to that as well. 19 I just wasn't working on those cases then. 20    Q.    So is it fair to say that up 21 until 2015, those procedures were a custom of 22 the organization in terms of how to conduct 23 investigations and when to refer matters to the 24 committee and then they were written down in</p>
<p>Page 59</p> <p>1 investigations and referrals to the committee? 2           MS. McENROE: Objection to form. 3           THE WITNESS: Those procedures 4 are the procedures we follow, and have 5 followed, for quite some time in 6 reviewing the investigations of an 7 irregular behavior and referring matters 8 to the committee. 9 BY MR. THRONSON: 10    Q.    Are you aware of any other 11 irregular -- procedures that apply to how to 12 conduct irregular behavior investigations or 13 when to refer matters to a committee that have 14 applied from 1996 to the present, besides the 15 policy labeled "draft policy" that you just 16 mentioned? 17    A.    Not that I'm aware of. 18    Q.    How long has the policy that you 19 mentioned been in effect? 20    A.    The document I mentioned is, and 21 I might be splitting hairs, but it's 22 procedures. 23           So we have an irregular behavior 24 policy that governs the process that we publish</p>	<p>Page 61</p> <p>1 2015 in the document that we've been talking 2 about? 3           MS. McENROE: Objection to form. 4           THE WITNESS: So I don't know if 5 I would characterize them as a custom, 6 but they were documented together in 7 2015. 8           But when I started working on 9 irregular behavior cases those procedures 10 were -- I was trained on those procedures 11 and how to conduct the case. 12 BY MR. THRONSON: 13    Q.    Was there a written policy -- 14 sorry, written procedure that predated the 2015 15 procedure? 16           MS. McENROE: Objection to form. 17           THE WITNESS: Not that I can 18 recall. 19 BY MR. THRONSON: 20    Q.    So as part of your training in 21 how to conduct irregular behavior 22 investigations prior to 2015, you weren't 23 trained on a particular written procedure; fair 24 to say?</p>

## KARA CORRADO

<p>1 MS. McENROE: Objection to form.  2 THE WITNESS: No. Not that I  3 recall other than the irregular behavior  4 policies and procedures that we have  5 written.</p> <p>6 BY MR. THRONSON:</p> <p>7 Q. So 2015 is the first time that  8 an irregular behavior procedure, which included  9 procedures for referring matters to the  10 credentials committee, was written down at  11 ECFMG?</p> <p>12 A. To my knowledge -- I don't know.  13 I believe so. If they were written down  14 previously, I didn't see them; or they would  15 have been in communications from someone to  16 another person.</p> <p>17 Q. What do you mean by that?</p> <p>18 A. I don't know what people did  19 before I started working on those cases. I  20 guess what I'm trying to say is, I don't know  21 if I can say they were never written down  22 before, because I don't know what individuals  23 may or may not have done before me, but I have  24 not seen a set of written procedures prior to</p>	<p style="text-align: right;">Page 62</p> <p>1 writing for us because his knowledge of the  2 organization, historically, not just irregular  3 behavior procedures but things that the  4 organization had done, so when he was fully  5 gone we would have that resource.</p> <p>6 Q. Did anyone else contribute to  7 the drafting of those procedures?</p> <p>8 A. No.</p> <p>9 Q. So it's fair to say, before that  10 procedure was drafted what the procedure was  11 for irregular behavior at ECFMG was essentially  12 what Bill Kelly decided to do?</p> <p>13 MS. McENROE: Objection to form.  14 THE WITNESS: No, I would not  15 characterize it that way.</p> <p>16 What is documented in 2015 is a  17 set of procedures the organization had  18 used. Bill had used those procedures,  19 but not independently. So he would have  20 been consulting with his superior others  21 at the organization. He wouldn't just  22 act on his own to create procedures.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. Understood.</p>
<p>1 that time.</p> <p>2 Q. So to the best of your knowledge  3 both individually and as a representative of  4 ECFMG, 2015 was the first time that an  5 irregular behavior procedure, including a  6 procedure for referring matters to the  7 credentials committee, was actually written  8 down at ECFMG; to the best of your knowledge?</p> <p>9 MS. McENROE: Objection to form.</p> <p>10 THE WITNESS: To the best of my  11 knowledge 2015 is when we documented the  12 procedures that we were using as staff to  13 process investigations for irregular  14 behavior.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. What caused the organization to  17 write those procedures down in 2015?</p> <p>18 A. So William Kelly, who was the  19 vice president of operation at the time, he had  20 been doing that work for a very long time and  21 he was retiring and so as part of his  22 retirement he was still doing some consulting  23 for ECFMG, and one of the things I asked him to  24 do was to document all of the procedures in</p>	<p style="text-align: right;">Page 63</p> <p style="text-align: right;">Page 65</p> <p>1 MR. THRONSON: Obviously we'll  2 be requesting a copy of the --</p> <p>3 MS. McENROE: I believe we  4 produced that already. We produced that  5 this morning, I think. Oh, great, I have  6 hard copies for you.</p> <p>7 Also, we've been going for about  8 an hour and 20 minutes, and I think we  9 might have lunch ready if there's a good  10 time to take a break?</p> <p>11 MR. THRONSON: Can we spend  12 about 5 more minutes to close out this  13 line of questioning; is that okay?</p> <p>14 THE WITNESS: That's fine.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. Why has the -- is there a reason  17 that the policy, at least on the face of it,  18 had remained a draft policy?</p> <p>19 MS. McENROE: Objection to form.</p> <p>20 THE WITNESS: No other reason  21 than we didn't change the title on the  22 Microsoft Word document.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. So for all intents and purposes</p>

## KARA CORRADO

<p>1 it's a final policy?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: I would say it</p> <p>4 captures the procedure that we follow.</p> <p>5 Off the top of my head, not looking at it</p> <p>6 right now, I don't know if there are</p> <p>7 other sort of processes that are not</p> <p>8 documented in there, but it's generally</p> <p>9 the guidelines that we use for</p> <p>10 investigations.</p> <p>11 BY MR. THRONSON:</p> <p>12 Q. Are there any other polices</p> <p>13 from -- strike that. Are there any other</p> <p>14 procedures, from 1996 to the present, that</p> <p>15 ECFMG has used with respect to investigations</p> <p>16 of irregular behavior and determinations as to</p> <p>17 whether to refer a matter to the credentials</p> <p>18 committee other than the 2015 written policy --</p> <p>19 written procedures we've been discussing?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: Not that I'm aware</p> <p>22 of.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. Does ECFMG have any procedures,</p>	<p style="text-align: right;">Page 66</p> <p>1 production we were provided by defendants this</p> <p>2 morning.</p> <p>3 The first roughly 10 pages of</p> <p>4 it, from Bates 10198 to 10208, does that</p> <p>5 comprise the 2015 procedure we were talking</p> <p>6 about?</p> <p>7 A. Yes.</p> <p>8 Q. It looks like there are a few</p> <p>9 attachments to the procedure that are --</p> <p>10 attachment 1 is referenced on page 10207,</p> <p>11 that's a sample text to a third part in</p> <p>12 response to an allegation. Do you see that?</p> <p>13 A. I'm sorry. Which page?</p> <p>14 Q. 10207. In the middle of the</p> <p>15 page there, you'll see there's a reference to</p> <p>16 an attachment?</p> <p>17 A. Yes, I see it.</p> <p>18 Q. Then on page 10205 there's a</p> <p>19 reference to attachment 2 at the bottom of that</p> <p>20 page. Apparently attachment 2 is a sample</p> <p>21 charge letter to an applicant. Do you see</p> <p>22 that?</p> <p>23 A. Yes.</p> <p>24 Q. It doesn't appear that those</p>
<p>1 written procedures, regarding -- tell you what,</p> <p>2 let me strike that. Let's take a break. I'll</p> <p>3 look at the document, and then we can</p> <p>4 reconvene.</p> <p>5 - - -</p> <p>6 (Whereupon there was a recess in</p> <p>7 the proceeding from 12:09 p.m. to 12:51</p> <p>8 p.m.)</p> <p>9 - - -</p> <p>10 MR. THRONSON: Back on the</p> <p>11 record. We'll mark this.</p> <p>12 - - -</p> <p>13 (Whereupon the document was</p> <p>14 marked, for identification purposes, as</p> <p>15 Exhibit Number CORRADO-2.)</p> <p>16 - - -</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. Ms. Corrado, before we left off</p> <p>19 we were discussing a credentials procedure that</p> <p>20 was drafted in 2015.</p> <p>21 Ma'am, the court reporter has</p> <p>22 marked a document as exhibit 2, and I'll</p> <p>23 represent to you this document contains all the</p> <p>24 production we were provided, supplement</p>	<p style="text-align: right;">Page 67</p> <p>1 attachments are in this production. Other than</p> <p>2 those attachments, does what you have in front</p> <p>3 of you as Exhibit 2 contain the complete 2015</p> <p>4 policy we've been discussing?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: Yes, this appears</p> <p>7 to be the document from 2015.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. On page 11 there are -- I guess</p> <p>10 I'm wondering if the policy is incomplete or if</p> <p>11 content was intended to be added to it?</p> <p>12 It looks like there are some --</p> <p>13 there's a charge of falsified credential,</p> <p>14 charge of falsified student status, falsified</p> <p>15 credentials, other consideration of ongoing</p> <p>16 investigations.</p> <p>17 Do you see that text?</p> <p>18 A. (Nonverbal response.)</p> <p>19 Q. Are those prospective of</p> <p>20 sections to be added to the policy?</p> <p>21 MS. McENROE: Objection to form.</p> <p>22 THE WITNESS: I am not sure.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. Let me ask you, what do you</p>

## KARA CORRADO

<p>1 think those represent?</p> <p>2 A. Can I have a minute?</p> <p>3 Q. Yes. Of course. Take all the</p> <p>4 time you need.</p> <p>5 A. I am not sure what the intent</p> <p>6 would have been by Bill in these, but my</p> <p>7 educated guess would be these are types of</p> <p>8 tools -- these are types of cases that we</p> <p>9 typically see of irregular behavior.</p> <p>10 Q. If you turn back to the first</p> <p>11 page of the policy...</p> <p>12 MS. McENROE: Objection.</p> <p>13 MR. THRONSON: I'm sorry, what</p> <p>14 is the objection?</p> <p>15 MS. McENROE: You kept calling</p> <p>16 it a policy. I went through it</p> <p>17 extensively this morning, it's a</p> <p>18 procedure not a policy.</p> <p>19 MR. THRONSON: Okay, fair</p> <p>20 enough.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. Apparently this belongs to a set</p> <p>23 of ECFMG credentials procedures; is that</p> <p>24 correct?</p>	Page 70	<p>1 recall any others among the ECFMG credentials</p> <p>2 procedures that bear on investigating</p> <p>3 allegations of irregular behavior?</p> <p>4 A. I don't believe so.</p> <p>5 Q. Do you remember any other</p> <p>6 section of the procedures that bear on the</p> <p>7 question of when to refer a matter to the</p> <p>8 medical education credentials committee?</p> <p>9 A. I don't believe so.</p> <p>10 Q. The document refers to the ECFMG</p> <p>11 medical education and credentials committee</p> <p>12 policies and procedures. Is that a separate</p> <p>13 set of policies and procedures?</p> <p>14 A. Yes. That is a set of policies</p> <p>15 and procedures that are published and provided</p> <p>16 to the applicants when they are charged with</p> <p>17 irregular behavior.</p> <p>18 Q. Are there any other policies and</p> <p>19 procedures or polices that the credentials</p> <p>20 committee -- that apply to the credentials</p> <p>21 committee that are not published?</p> <p>22 A. Yes. There is an appeals</p> <p>23 procedure that is not published on our website</p> <p>24 but it is given to any individual along with a</p>
<p>1 A. Yes.</p> <p>2 Q. It's labeled Section 5 of those</p> <p>3 procedures, correct?</p> <p>4 A. This does, yes.</p> <p>5 Q. So are there other sections of</p> <p>6 the ECFMG credentials procedures?</p> <p>7 A. I believe there are other</p> <p>8 sections.</p> <p>9 MR. THRONSON: I'd like to</p> <p>10 request a table of contents for those</p> <p>11 procedures.</p> <p>12 MS. McENROE: We can investigate</p> <p>13 if a table of contents exists.</p> <p>14 MR. THRONSON: If not that, then</p> <p>15 the whole set.</p> <p>16 BY MR. THRONSON:</p> <p>17 Q. Do you recall the headings of</p> <p>18 the other sections or generally what the other</p> <p>19 sections contain?</p> <p>20 A. Only one which would have been,</p> <p>21 I believe, our procedures on exceptions to</p> <p>22 credentialing policies, but I don't remember</p> <p>23 the other ones.</p> <p>24 Q. All right. Are there -- do you</p>	Page 71	<p>1 decision letter when a determination of</p> <p>2 irregular behavior is made.</p> <p>3 Q. Anything else?</p> <p>4 A. There are no other policies</p> <p>5 related to irregular behavior that applies to</p> <p>6 the credentials committee.</p> <p>7 Q. Does the credentials committee</p> <p>8 itself have any policies and procedures that</p> <p>9 govern when an allegation of irregular behavior</p> <p>10 should be forwarded to the committee for</p> <p>11 investigation and review?</p> <p>12 A. The irregular behavior policies</p> <p>13 and procedures that we have are the ones that</p> <p>14 govern the committee.</p> <p>15 Q. In Exhibit 2, in front of you?</p> <p>16 A. No. The ones that are</p> <p>17 referenced in here, the medical education</p> <p>18 credentials committee polices and procedures.</p> <p>19 Q. Okay.</p> <p>20 A. Which are the irregular behavior</p> <p>21 procedures that are published right now online,</p> <p>22 those policies.</p> <p>23 Q. Do those published polices also</p> <p>24 govern staff?</p>

## KARA CORRADO

<p>1 MS. McENROE: Objection to form.</p> <p>2 THE WITNESS: I wouldn't say</p> <p>3 they govern staff, but those are the</p> <p>4 policies and procedures that staff use</p> <p>5 when reviewing irregular behavior and</p> <p>6 when we are communicating with</p> <p>7 applicants.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. Has that been true from '96 to</p> <p>10 the present?</p> <p>11 A. Do you mean specifically this</p> <p>12 policy?</p> <p>13 Q. I mean the policies that are</p> <p>14 published regarding irregular behavior. Has</p> <p>15 the committee staff, such as yourself, followed</p> <p>16 those policies from '96 to the present?</p> <p>17 A. That's my understanding.</p> <p>18 Q. Does Exhibit 2 vary at all from</p> <p>19 the historical practice of the credentials</p> <p>20 committee and credentials committee staff with</p> <p>21 respect to investigations of irregular behavior</p> <p>22 and referrals to the credentials committee?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: Not that I'm aware</p>	<p>Page 74</p> <p>1 last two italicized phrases.</p> <p>2 Q. I see that. So I'm interested</p> <p>3 in knowing when staff becomes aware of an</p> <p>4 allegation of irregular behavior, is there</p> <p>5 anything in Exhibit 2 that indicates when staff</p> <p>6 should refer that allegation to the credentials</p> <p>7 committee?</p> <p>8 MS. McENROE: Objection to form.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Or under what circumstances the</p> <p>11 staff should refer to the --</p> <p>12 A. The document -- the procedures</p> <p>13 are documenting walking through the process of</p> <p>14 the investigation which starts with determining</p> <p>15 whether the irregular behavior relates to</p> <p>16 ECFMG, whether the source of the allegation is</p> <p>17 credible, and the process you go through when</p> <p>18 this comes to the source of the allegation.</p> <p>19 Q. Is it ECFMG's position that if</p> <p>20 staff determines an allegation is credible,</p> <p>21 that that allegation should be forwarded to the</p> <p>22 credentials committee?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: So the policies</p>
<p>1 of.</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. So Mr. Kelly, in drafting this</p> <p>4 document, never indicated to you that this is</p> <p>5 something new that I'm putting in here, I think</p> <p>6 we should change how we're doing a particular</p> <p>7 thing?</p> <p>8 MS. McENROE: Objection to form.</p> <p>9 THE WITNESS: Not that I recall.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. According to these procedures</p> <p>12 when should an allegation of irregular behavior</p> <p>13 be referred to the credentials committee?</p> <p>14 MS. McENROE: Objection to form.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. By these procedures I mean the</p> <p>17 ones in Exhibit 2.</p> <p>18 A. There is, on page 4, an</p> <p>19 indication to send the allegation of irregular</p> <p>20 behavior which in quotes we call "the charge</p> <p>21 letter to the applicant."</p> <p>22 Q. Can you show me the language you</p> <p>23 are referring to; read it for me?</p> <p>24 A. The bottom of page 4. The very</p>	<p>Page 75</p> <p>Page 77</p> <p>1 and procedures on irregular behavior</p> <p>2 indicate that if staff determines there</p> <p>3 is sufficient evidence of irregular</p> <p>4 behavior the matter will be referred to</p> <p>5 the credentials committee.</p> <p>6 BY MR. THRONSON:</p> <p>7 Q. Is that language in this</p> <p>8 procedure; is it written down somewhere else?</p> <p>9 A. So that language without sitting</p> <p>10 and reading through here, I don't know for sure</p> <p>11 if it's in this document or not; but it is in</p> <p>12 the medical education credentials committee</p> <p>13 policies and procedures on irregular behavior.</p> <p>14 Q. Okay. Can you say that for me</p> <p>15 again, if staff determines that there is</p> <p>16 sufficient evidence; is that what you said?</p> <p>17 A. That is what I said, yes.</p> <p>18 Q. What is sufficient evidence?</p> <p>19 A. Sufficient evidence, it depends</p> <p>20 on the case. For example, if it's a falsified</p> <p>21 credential and the school responded and said</p> <p>22 the diploma is false, then that response would</p> <p>23 be sufficient evidence to make an allegation of</p> <p>24 irregular behavior on a falsified credential.</p>

## KARA CORRADO

<p>1 Q. Okay. I'd like to walk through 2 some -- strike that. Has it been ECFMG's 3 procedure since 1996 that if staff determines 4 that an allegation is supported by sufficient 5 evidence that the allegation is referred to the 6 credentials committee?</p> <p>7 A. That is my understanding, yes.</p> <p>8 Q. Does the evidence have to be in 9 a particular form? For example, does there 10 have to be a particular kind of documentary 11 evidence, or does that depend on the case?</p> <p>12 A. It depends on the case.</p> <p>13 Q. On page 6 of the policies and 14 procedures, this is Bates 10203, the procedure 15 reads "if the third party is not already 16 provided the appropriate identifying 17 information about the individual" -- so on and 18 so forth -- "ECFMG staff must determine whether 19 the individual is an applicant to ECFMG for any 20 program or service such as ECFMG certification, 21 EPIC, et cetera. To do this staff must use all 22 the appropriate search functions to query all 23 ECFMG databases," and it mentions AMES, OASIS, 24 and EPIC as examples of those databases.</p>	Page 78	<p>1 Q. Do you know the names of any of 2 those databases?</p> <p>3 A. I don't know if we have a name 4 for the database or if there's multiple 5 databases. We have a variety of software 6 programs that we use, and this is saying to 7 make sure we check in each of our lines of 8 service to see if the applicant exists in those 9 lines of service.</p> <p>10 Q. As a general matter, if a charge 11 letter is sent to an applicant should the 12 matter be referred to the credentials committee 13 for review?</p> <p>14 MS. McENROE: Objection to form.</p> <p>15 THE WITNESS: That is our 16 current process.</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. How long has that been a 19 process?</p> <p>20 A. That has been the process at 21 least since I've been working with the 22 credentials committee which is since 2008, and 23 I believe prior to that probably somewhere 24 around the late 90s early 2000s.</p>	Page 80
<p>1 Q. Can you tell me about what each 2 of those databases are, what the acronym stands 3 for and what the databases do?</p> <p>4 A. I believe that the example -- 5 the uses of these -- these are programs, 6 software programs for ECFMG. So I don't know 7 that they are really databases. They obviously 8 feed from a database, but I don't believe they 9 are the names of a database.</p> <p>10 AMES is a program that our staff 11 uses to process records. OASIS is an external 12 facing portal that applicants can use to check 13 on their application status and their 14 certification status of ECFMG, and EPIC is our 15 electronic portfolio of international 16 credentials which has a variety of software 17 programs that we use. It's not in the name of 18 a program.</p> <p>19 Q. Are there any databases that 20 ECFMG uses in the course of the certification 21 process?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: I assume so, yes.</p> <p>24 BY MR. THRONSON:</p>	Page 79	<p>1 Q. So you believe that was also the 2 process in the late 90s, early 2000s?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Do you know of any -- 5 strike that. Do you know of any circumstances 6 where you would -- where ECFMG would vary from 7 that process?</p> <p>8 MS. McENORE: Objection to form.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. That is, would vary from the 11 process of once a charge letter is sent to an 12 applicant to refer the matter to the 13 credentials committee for investigation?</p> <p>14 A. Prior to -- like I said, I think 15 it was around '99, 2000 that the matter would 16 be referred.</p> <p>17 Let me just clarify. Unless 18 there was some exculpatory evidence that we 19 discovered after we sent the charge letter, 20 then we would withdraw the charge letter and it 21 wouldn't be referred to the credentials 22 committee; but prior to that there are cases 23 where we contacted the applicant to ask them to 24 provide information about an allegation or an</p>	Page 81

## KARA CORRADO

<p style="text-align: right;">Page 82</p> <p>1 anomaly. In some of those cases they were not 2 referred to the committee, if that applicant 3 did not respond.</p> <p>4 Q. If the applicant did not respond 5 they were not referred to the committee?</p> <p>6 A. In some cases. Right, you asked 7 me if we always referred them.</p> <p>8 Q. Sure.</p> <p>9 A. And the answer is no, because 10 there are some cases that are old, prior to my 11 time, that we contacted the individual about 12 the allegation but they are not necessarily 13 referred to the credentials committee.</p> <p>14 Q. Do you know why they were not 15 referred to the credentials committee in those 16 cases?</p> <p>17 A. I don't.</p> <p>18 Q. But as a general rule after a 19 charge letter was sent, the matter was referred 20 to the credentials committee as a matter of 21 course?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: Yes.</p> <p>24 BY MR. THRONSON:</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. I'd like to go through some of 2 the history and just so we can orientate 3 ourselves, is it ECFMG's understanding that the 4 names Charles Nosa Akoda, Igberase Oluwafemi 5 Charles, and Oluwafemi Charles Igberase were 6 names used by the same person?</p> <p>7 A. That is our understanding which 8 is based on the information that we got from 9 the plea that he signed.</p> <p>10 Q. Do you know what that 11 individual's given name was at birth?</p> <p>12 MS. McENROE: Objection to form.</p> <p>13 THE WITNESS: I do not know what 14 his given name was at birth.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. Does the organization have an 17 opinion as to where he was born?</p> <p>18 MS. McENROE: Objection to form.</p> <p>19 THE WITNESS: We would only have 20 information that he provided to us about 21 where he was born.</p> <p>22 BY MR. THRONSON:</p> <p>23 Q. Did he receive any medical 24 education before enrolling in a residency</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. Obviously this case has a long 2 history and we covered a lot of this in the 3 deposition of William Kelly. Did you happen to 4 read that deposition?</p> <p>5 A. I did not.</p> <p>6 Q. Was it made available to you for 7 review?</p> <p>8 A. No.</p> <p>9 Q. Do you know that it had taken 10 place?</p> <p>11 A. No.</p> <p>12 Q. Did ask you for a transcript?</p> <p>13 A. No, I did not.</p> <p>14 Q. Why not?</p> <p>15 MS. McENROE: Objection to form.</p> <p>16 THE WITNESS: I don't know. I 17 didn't ask for one.</p> <p>18 BY MR. THRONSON:</p> <p>19 Q. You didn't feel it was important 20 for your testimony today?</p> <p>21 MS. McENROE: Objection to form.</p> <p>22 THE WITNESS: I don't think I 23 thought about it to be perfectly honest.</p> <p>24 BY MR. THRONSON:</p>	<p style="text-align: right;">Page 85</p> <p>1 program?</p> <p>2 A. ECFMG has documentation that the 3 medical school officials verified to us that he 4 completed medical education at a school in 5 Nigeria, and they verified his final medical 6 diploma to us.</p> <p>7 Q. Is it ECFMG's position that 8 Akoda actually graduated from the University of 9 Benin?</p> <p>10 A. So ECFMG's position on that is 11 that an individual with that name submitted a 12 diploma which was source verified by the 13 medical school officials, which indicated that 14 the diploma was authentic and confirmed that 15 the person named on that diploma graduated from 16 their medical school. I believe it was Benin, 17 I can't remember, but assuming that's the 18 school on the diploma.</p> <p>19 Q. You are aware that same 20 individual, under the Igberase name, supplied a 21 medical degree from -- submitted a diploma from 22 the University of Ibadan as part of his 23 application --</p> <p>24 MS. McENROE: Objection to form.</p>

## KARA CORRADO

<p>1           THE WITNESS: Yes, so an  2        individual named -- well, one of his name  3        is Igberase, applied to ECFMG and  4        submitted a diploma which was source  5        verified by the University of Ibadan  6        indicating that he had attended medical  7        school there and the diploma was  8        authentic.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Does ECFMG believe Akoda  11 Igberase attended both the University of Ibadan  12 and the University of Benin?</p> <p>13           MS. McENROE: Objection to form.</p> <p>14           THE WITNESS: ECFMG has two  15        diplomas for Igberase in his file that  16        were source verified by the medical  17        school officials. Whether or not he  18        attended both of those medical schools,  19        that particular person that presented  20        those diplomas, I wouldn't know.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. So the only -- if I'm  23 understanding you correctly, ECFMG doesn't take  24 a position on where Igberase Akoda actually</p>	Page 86	<p>1       graduation date on the diploma.</p> <p>2 BY MR. THRONSON:</p> <p>3       Q. How did you obtain source  4        verification from the school?</p> <p>5       A. For those diplomas?</p> <p>6       Q. For those diplomas.</p> <p>7       A. We followed our processes at the  8        time for source verification which was to send  9        a copy of the diploma to the medical school  10        directly with a form for the school official to  11        complete, it's a safety paper form, and a  12        prepaid envelope, -- I'm sorry, it's not a  13        prepaid envelope, but an envelope addressed to  14        ECFMG to be returned to us.</p> <p>15       Q. At this time, did you also  16        request, we're talking about between 1992 to  17        2000, did you also request verification of  18        whether an individual was registered as a  19        medical practitioner or licensed to practice  20        medicine in his or her home country?</p> <p>21       A. The credentialing requirements  22        for certification at that time included source  23        verification of the diploma only, and the  24        individual was required to also submit a copy</p>	Page 88
<p>1       went to medical school beyond that ECFMG  2        received these two diplomas that were source  3        verified by the institution?</p> <p>4       A. Yes, that's correct.</p> <p>5       Q. Does ECFMG have any information  6        apart from the source verification of those  7        diplomas that would indicate where this  8        individual actually went to medical school, if  9        anywhere?</p> <p>10       A. All of the information we have  11        about his medical education, aside from the  12        verification of the diploma by the medical  13        school's officials, would have been provided by  14        him on his applications to ECFMG.</p> <p>15       Q. So just to be totally clear,  16        apart from having these two diplomas that were  17        source verified by the institution and ECFMG's  18        belief, ECFMG can't say where and when this  19        individual, Akoda Igberase, went to medical  20        school, if anywhere?</p> <p>21       MS. McENROE: Objection to form.</p> <p>22       THE WITNESS: We could only  23        provide the information that the school  24        verified to us, which would include the</p>	Page 87	<p>1       of their certificate of their full registration  2        or license, but those were not source-verified.</p> <p>3       Q. Why not?</p> <p>4       A. I don't know why they were not,  5        but the decision prior to me had been source  6        verification of diploma with a submission of  7        the license, which is not a requirement now.</p> <p>8       Q. Why did it cease becoming a  9        requirement?</p> <p>10       A. We introduced a clinical skills  11        assessment examination in 1998, and at that  12        time the organization determined it did not  13        need the license or certificate of registration  14        from an international medical graduate when it  15        introduced a clinic skill assessment which is  16        an in-person exam simulated with patients.</p> <p>17       Q. It has never been a requirement  18        for international medical graduates applying  19        for ECFMG certification to provide government  20        issued photoed identification, correct?</p> <p>21       A. It is a requirement to submit  22        photo identification currently, but it was not  23        in the past.</p> <p>24       Q. When did it become a</p>	Page 89

## KARA CORRADO

<p>1 requirement?</p> <p>2 A. It varies based on the service.</p> <p>3 So the international credential services, EPIC,</p> <p>4 when that program was launched, which I believe</p> <p>5 was I was in 2012 or 2013, part of the</p> <p>6 requirement was to submit a copy of the</p> <p>7 passport and have it notarized -- an</p> <p>8 identification form notarized and for ECFMG</p> <p>9 certification that became part of the</p> <p>10 requirement in 2017, I believe, or 2018; maybe</p> <p>11 2018, more recently.</p> <p>12 Q. Why did it become a requirement?</p> <p>13 A. We were looking across our</p> <p>14 processes and programs and we wanted to</p> <p>15 standardize it, work towards standardization,</p> <p>16 and bring, like have a notary -- the process is</p> <p>17 essentially the same as it had been but we</p> <p>18 wanted to tighten it up in terms of having one</p> <p>19 notary that we contract with to provide</p> <p>20 notarization of the identification forms to us.</p> <p>21 Q. Is that a separate requirement,</p> <p>22 in terms of ECFMG now has a requirement that an</p> <p>23 applicant provide government issued photo</p> <p>24 identification if I'm understanding you right?</p>	Page 90	<p>1 essentially and that was one of them for</p> <p>2 identification.</p> <p>3 Q. Why do you think it wasn't</p> <p>4 introduced beforehand?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: I believe it was</p> <p>7 not introduced beforehand because,</p> <p>8 frankly, of system restraints.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. What do you mean by that?</p> <p>11 A. It is a technology matter, so to</p> <p>12 speak, that we -- it was a project that we had</p> <p>13 sort of in the pipeline for a while, and it</p> <p>14 goes through a process with IT, and updating</p> <p>15 the system to be able to accept those things</p> <p>16 electronically took some time.</p> <p>17 Q. Why do you think the government</p> <p>18 issued photo ID requirement was not a</p> <p>19 requirement until 2017, 2018?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: So presenting the</p> <p>22 government ID was a requirement prior to</p> <p>23 this in the sense that as part of the</p> <p>24 identification of the individual on an</p>	Page 92
<p>1 A. Yes, to ECFMG.</p> <p>2 Q. I'm sorry -- right that it is</p> <p>3 supplied to ECFMG. There's a separate</p> <p>4 requirement that the applicant used, I believe,</p> <p>5 Notary Cam?</p> <p>6 A. (Nonverbal response.)</p> <p>7 MS. McENROE: Is that a "yes"?</p> <p>8 THE WITNESS: Yes.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Why was that Notary Cam</p> <p>11 introduced?</p> <p>12 A. The requirement to use Notary</p> <p>13 Cam?</p> <p>14 Q. Right.</p> <p>15 A. So Notary Cam is a vendor in the</p> <p>16 United States that provides online notary</p> <p>17 services. They also have an ability -- they</p> <p>18 have a database of passports so they know what</p> <p>19 the passport should look like, and we decided</p> <p>20 to use an online -- one notary that we knew in</p> <p>21 order to essentially improve the process that</p> <p>22 we've had over the years.</p> <p>23 Over the years we've introduced</p> <p>24 a number of improvement to all of our processes</p>	Page 91	<p>1 application they were required to appear</p> <p>2 in front of a notary, first class</p> <p>3 magistrate, Consul official or a medical</p> <p>4 school official and provide their</p> <p>5 identification to that individual to</p> <p>6 notarize or sign off on their application</p> <p>7 form, but they were not submitted to</p> <p>8 ECFMG.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Where was it submitted?</p> <p>11 A. I assume it would be submitted</p> <p>12 to the notary -- right -- you have to show up</p> <p>13 to the notary and the instructions to the</p> <p>14 notary indicate that they are certifying that</p> <p>15 the person before them, based on their</p> <p>16 government issued ID or other form of</p> <p>17 identification, is that person.</p> <p>18 Q. Was the notary supposed to send</p> <p>19 that documentation directly to ECFMG?</p> <p>20 A. The -- no, I don't believe so.</p> <p>21 Q. I wanted to go back to the issue</p> <p>22 of the diplomas. I believe that there were</p> <p>23 some emails that were produced in production</p> <p>24 from defense counsel in this case.</p>	Page 93

## KARA CORRADO

<p>1        One of them I'd like to mark as  2 Exhibit 3, please.  3        - - -  4        (Whereupon the document was  5        marked, for identification purposes, as  6        Exhibit Number CORRADO-3.)  7        - - -  8 BY MR. THRONSON:  9        Q.    So Ms. Corrado, I'm handing you  10 a copy of what's been marked as Exhibit 3.  11 This is Bates 3206 to 3209, and it appears to  12 be an exchange between you and -- initially a  13 few physicians, Nigerian physicians, and then  14 the most recent response on the exhibit is  15 between you and physician Dr. Okwukenye; is  16 that right?  17        A.    Yes.  18        Q.    Dr. Henry?  19        A.    Dr. Henry, yes.  20        Q.    It appears that you submitted  21 diplomas and certificates of full registration  22 that most of which it appears have been source  23 verified to Dr. Henry to take a look at, right?  24        A.    Yes.</p>	Page 94	<p>1        Q.    About how long do you think  2 you've known him?  3        A.    Probably around three years.  4 I'm not sure off the top of my head when they  5 signed on with us. So from the time  6 essentially that the medical and dental council  7 signed on, Dr. Henry was the point person. I  8 would have known him through email and then  9 when I met him at conferences that we both  10 attended.  11        Q.    What is the AMCOA Conference?  12        A.    That is the Association of  13 Medical Councils of Africa.  14        Q.    So it looks like you provided  15 copies of various diplomas and certificates of  16 full registrations that are listed on pages  17 3206 and 3207?  18        A.    Yes.  19        Q.    Those included diplomas and  20 certificates of full registration from the  21 individual Johnbull Enosakhare Akoda as well as  22 Charles Olufemi Igberase and Charles Igberase  23 Oluwafemi, correct?  24        A.    Yes. All of the names that are</p>	Page 96
<p>1        Q.    First of all, how did you meet  2 Dr. Henry?  3        A.    Dr. Henry is, I believe, he is  4 the registrar of the Medical and Dental Council  5 of Nigeria. The Medical and Dental Council of  6 Nigeria is one of the medical regulatory  7 authorities that uses our credentialing  8 verification services for applicants that are  9 applying to Nigeria for licensure in Nigeria.  10        So Dr. Henry has been one of our  11 point people in that relationship in providing  12 the services to the medical council.  13        Q.    Got it. Has the Medical and  14 Dental Council of Nigeria been in existence  15 since at least 1996?  16        A.    That's my understanding.  17        Q.    How did you meet doctor Henry?  18        A.    I met Dr. Henry aside from  19 email, but in person I met him at a conference.  20        Q.    It looks like the AMCOA  21 Conference in Ghana?  22        A.    Yes, I met him at AMCOA, but I  23 might have met him at a previous conference of  24 AMCOA.</p>	Page 95	<p>1        listed in the emails.  2        Q.    Got it. Dr. Henry said he would  3 -- he was out of the office but would verify  4 these by Thursday?  5        A.    (Nonverbal response.)  6        MS. MCENROE: Is that a "yes"?  7        THE WITNESS: Yes. Sorry.  8 BY MR. THRONSON:  9        Q.    I don't have a response from  10 him. Did he respond to you?  11        A.    Yes. In here you mean or?  12        Q.    Subsequent to this email, did  13 you have correspondences with him?  14        A.    Not about this. Not about this  15 that I'm aware of.  16        Q.    Did he ever give an opinion as  17 to whether any of the documents that you sent  18 him were authentic?  19        A.    He did not.  20        Q.    Did you ever follow up with him  21 to ask again?  22        A.    Yes, I believe I did in an  23 email.  24        Q.    Do you know about when you did</p>	Page 97

## KARA CORRADO

<p>1 that?</p> <p>2 A. Probably a few months after</p> <p>3 that.</p> <p>4 Q. Did he respond?</p> <p>5 A. I don't think he responded.</p> <p>6 Q. Has he every gotten back to you</p> <p>7 about his opinion about whether the documents</p> <p>8 you sent him were authentic?</p> <p>9 A. No.</p> <p>10 Q. Have you sent any of the</p> <p>11 documents that are identified in this email</p> <p>12 chain in Exhibit 3 to anybody else to get their</p> <p>13 opinion on whether they were authentic?</p> <p>14 A. No.</p> <p>15 Q. Why did you send them to</p> <p>16 Dr. Henry?</p> <p>17 A. Dr. Igberase applied to our</p> <p>18 international credential services after the</p> <p>19 issue that he had and his licenses were revoked</p> <p>20 in the States. He applied to use our services</p> <p>21 indicating he was applying to Nigeria, and I</p> <p>22 believe Ireland for licensure.</p> <p>23 As part of our regular process</p> <p>24 and procedure when an individual that has</p>	<p>Page 98</p> <p>1 the process in Nigeria, the medical and dental</p> <p>2 council would make a decision about his</p> <p>3 application for licensure with a full</p> <p>4 understanding of the information that we had</p> <p>5 about this particular physician.</p> <p>6 So when I met Dr. Henry in Ghana</p> <p>7 we discussed this case because he had the</p> <p>8 email, and I asked him if we could provide all</p> <p>9 the documents to him because the individual,</p> <p>10 you know, Dr. Igberase, was using our</p> <p>11 credentialing services to apply to us, what</p> <p>12 appeared to apply to other jurisdictions</p> <p>13 seeking medical licensure.</p> <p>14 Q. Okay. So it looks like you</p> <p>15 provided the initial notification on June 29th,</p> <p>16 then you had a conversation with him at the</p> <p>17 conference that essentially grew out of that</p> <p>18 initial notification?</p> <p>19 A. Yes, that is right.</p> <p>20 Q. He said that the medical council</p> <p>21 could verify the documents that were submitted</p> <p>22 to ECFMG by this individual, according to the</p> <p>23 email here; is that right?</p> <p>24 A. Yes.</p>
<p>Page 99</p> <p>1 engaged in irregular behavior in any of our</p> <p>2 programs and services uses our international</p> <p>3 credentialing services and indicates they are</p> <p>4 going to apply to another jurisdiction, we will</p> <p>5 reach out to our partners at that jurisdiction</p> <p>6 to let them know that an individual with an</p> <p>7 annotation of irregular behavior has indicated</p> <p>8 that they are going to apply to that regulatory</p> <p>9 authority for licensure.</p> <p>10 So that was the original email,</p> <p>11 was notifying them that he had applied, and I'm</p> <p>12 sorry, I think I lost the question.</p> <p>13 Q. That's fine. So it looks like,</p> <p>14 if the email is accurate, that while you were</p> <p>15 at AMCOA, you discussed the case of</p> <p>16 Dr. Igberase and Dr. Akoda with him, and this</p> <p>17 was after the notification to the MDCN on June</p> <p>18 29th --</p> <p>19 A. Yes. Yes. Sorry.</p> <p>20 Q. So why did you bring the case up</p> <p>21 with him?</p> <p>22 A. So because he was applying to</p> <p>23 them, we gave them the heads up about it, so</p> <p>24 they could make a decision. If he continued</p>	<p>Page 101</p> <p>1 Q. Why did he offer, or why did you</p> <p>2 ask him to do that?</p> <p>3 A. So because Dr. Igberase appeared</p> <p>4 to be engaging in our credentialing services,</p> <p>5 we would then be verifying these documents to</p> <p>6 other organizations, and I wanted to cross</p> <p>7 check the information.</p> <p>8 We also hadn't ever necessarily</p> <p>9 verified the registration certificates with the</p> <p>10 medical and dental council. Those had not been</p> <p>11 previously source verified so I was looking to</p> <p>12 source verify those as well, and then we could</p> <p>13 put those in Dr. Igberase's account and send</p> <p>14 out the verification of them to the regulatory</p> <p>15 authorities he was applying to.</p> <p>16 Q. So even though the registrations</p> <p>17 apparently had been verified as authentic by</p> <p>18 deans at the schools Ibadan and Benin, that</p> <p>19 didn't constitute source verification; correct?</p> <p>20 A. That is correct.</p> <p>21 Q. As he says in his email,</p> <p>22 however, no dean in the world can verify full</p> <p>23 registration.</p> <p>24 Is that accurate?</p>

## KARA CORRADO

<p>1 MS. McENROE: Objection to form.  2 THE WITNESS: That's what  3 Dr. Henry told me about their process in  4 Nigeria. So I assume that whoever he's  5 representing in Nigeria can't do that.  6 BY MR. THRONSON:  7 Q. Does ECFMG agree that deans are  8 not able to verify full registration at least  9 in Nigeria?  10 MS. McENROE: Objection to form.  11 THE WITNESS: ECFMG will use the  12 issuing institution as the primary  13 source. So we would not typically verify  14 a certificate of registration with a  15 medical school unless it was issued by  16 the medical school in some capacity, or  17 we were otherwise instructed by the  18 primary area source to the verification  19 with another organization.  20 BY MR. THRONSON:  21 Q. Why in this case were the  22 certificates of full registration provided by  23 Igberase Akoda verified with the deans of these  24 schools instead of the MDCN?</p>	<p>Page 102</p> <p>1 ECFMG's process to source verify medical  2 registration?  3 A. ECFMG, for ECFMG certification,  4 does not require source verification of  5 licensure or registration because it's not a  6 requirement for certification.  7 Q. That ended in '98?  8 A. Submission of the licensure  9 ended in '98. We provide source verification  10 of registration certificates and licensure for  11 other regulatory authorities and other partners  12 that do require that, and outsource their  13 credentialing verification to us.  14 We are still verifying  15 certificates of registration and licensure  16 today, but not because it's a requirement of  17 ECFMG certification.  18 Q. Let's go down the list here, and  19 I'd like to know ECFMG's position on whether  20 these documents are authentic or not.  21 So the MBBS diploma issued in  22 1987 to Charles Oluwafemi Igberase, I have  23 copies if you want, but you're probably very  24 well familiar with them -- that diploma issued</p>
<p>1 A. So it wouldn't have been instead  2 of this time, because we weren't source  3 verifying registration or licensure.  4 So I don't know why the staff  5 person sent those along with the diploma to the  6 school. In looking at the file, my assumption  7 would be they were stapled together with the  8 diploma so they just stapled it to the form and  9 mailed it to the school.  10 When it came back, since that  11 was a document that came back with the  12 verification we left it, but we would not have  13 considered it source verified or primary-source  14 verified.  15 Q. The only way to determine --  16 strike that. The best way to determine if a  17 document submitted by applicants is to  18 primary-source verify it; is that fair to say?  19 MS. McENROE: Objection to form.  20 THE WITNESS: That is our  21 process. We will primary-source verify  22 credentials.  23 BY MR. THRONSON:  24 Q. When, if ever, did it become</p>	<p>Page 103</p> <p>1 in '87 from the University of Ibadan, in  2 ECFMG'S belief, is that diploma authentic?  3 MS. McENROE: Objection to form.  4 THE WITNESS: The very first one  5 you're talking about, correct, 19 --  6 MR. THRONSON: Right.  7 THE WITNESS: -- '87?  8 It's ECFMG's position that that  9 diploma has been source verified as  10 authentic. We have no reason to believe  11 otherwise that it is not.  12 BY MR. THRONSON:  13 Q. The second item on the list,  14 certificate of full registration, issued to  15 Charles Olufemi Igberase 1989, does ECFMG  16 believe that that certification of full  17 registration is authentic?  18 MS. McENROE: Objection to form.  19 THE WITNESS: ECFMG does not  20 have information to determine whether  21 this document is authentic or not because  22 we would verify it with a primary source.  23 BY MR. THRONSON:  24 Q. Was it ECFMG's policy when it</p>

## KARA CORRADO

<p style="text-align: right;">Page 106</p> <p>1 required provision -- submission of the 2 certificates to have some verification of the 3 authenticity of the certificate of 4 registration?</p> <p>5 A. Not to my knowledge. We did not 6 require a source verification of the 7 registration or license.</p> <p>8 Q. Why was that?</p> <p>9 A. I don't know.</p> <p>10 Q. Who would know?</p> <p>11 MS. McENROE: Objection to form.</p> <p>12 THE WITNESS: I don't know.</p> <p>13 BY MR. THRONSON:</p> <p>14 Q. The third item on the list, the 15 MBBS diploma allegedly issued in '96 to Charles 16 Igberase Oluwafemi from the University of 17 Ibadan, what is ECFMG's position as to the 18 authenticity to that document?</p> <p>19 A. So ECFMG has no information 20 about the authenticity of that document.</p> <p>21 Q. So ECFMG doesn't take a position 22 either way?</p> <p>23 A. Correct.</p> <p>24 Q. The fourth item, the MBBS</p>	<p style="text-align: right;">Page 108</p> <p>1 that we could take a position that one 2 individual graduated from all of those schools. 3 What we have is an individual 4 submitted those documents to ECFMG, and they 5 were verified as authentic.</p> <p>6 Q. Does ECFMG have any reason to 7 believe that one individual, a single 8 individual, did not obtain those three diplomas 9 from schools, from the three schools -- or from 10 Ibadan or Benin?</p> <p>11 MS. McENROE: Objection to form.</p> <p>12 THE WITNESS: So, again, ECFMG 13 doesn't have any information on which to 14 take a position on how those documents or 15 those educations were obtained.</p> <p>16 What we have is an individual 17 that submitted documents to us that were 18 source verified to us as authentic.</p> <p>19 BY MR. THRONSON:</p> <p>20 Q. I may have already asked this 21 but just to be sure. ECFMG has cooperated in 22 at least one federal, criminal investigation 23 regarding this matter; right?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">Page 107</p> <p>1 diploma, allegedly issued to Johnbull 2 Enosakhare Akoda in 1988 from the University of 3 Benin, what is ECFMG's position as to the 4 authenticity of that document?</p> <p>5 A. ECFMG's position is that this 6 document, the MBBS diploma, is authentic based 7 on the information that was provided to us from 8 the primary source at the medical school.</p> <p>9 Q. Does ECFMG have any reason to 10 believe that that diploma issued to Akoda is 11 not authentic?</p> <p>12 A. ECFMG has no reason to believe 13 that that diploma is not authentic.</p> <p>14 Q. The fifth -- strike that. Does 15 ECFMG -- is it ECFMG's position that the '87 16 diploma from Ibadan, the '96 diploma from 17 Ibadan, and the '88 diploma from Benin were all 18 obtained by the same person?</p> <p>19 MS. McENROE: Objection to form.</p> <p>20 BY MR. THRONSON:</p> <p>21 Q. Do you understand what I'm 22 asking, that one person actually graduated from 23 all those schools?</p> <p>24 A. Yes. We don't have information</p>	<p style="text-align: right;">Page 109</p> <p>1 Q. Has it cooperated in any other 2 investigations concerning this matter?</p> <p>3 A. I think it was part of the same 4 investigation, the Maryland Board of Physicians 5 reached out to us initially, I believe, about 6 requesting information on these two physicians.</p> <p>7 Q. During the course of that 8 process, including in a plea agreement, did 9 ECFMG obtain any additional insight as to the 10 authenticity of the five documents listed in 11 Exhibit 3?</p> <p>12 MS. McENROE: Objection to form.</p> <p>13 THE WITNESS: So at the time 14 when we reviewed the file for the medical 15 board, the information we have here is 16 the same information we had then which is 17 those documents were verified as 18 authentic. We didn't have any reason to 19 believe they were not authentic.</p> <p>20 BY MR. THRONSON:</p> <p>21 Q. The fifth document listed, the 22 certificate of full registration, allegedly 23 issued to Johnbull Enosakhare Akoda, in 1989, 24 does ECFMG take a position as to whether that</p>

28 (Pages 106 - 109)

## KARA CORRADO

<p>1 document is authentic?</p> <p>2 A. ECFMG does not have enough</p> <p>3 information to take a position on whether that</p> <p>4 document is authentic or not, because it hasn't</p> <p>5 been primary-source verified.</p> <p>6 Q. Does ECFMG take a position as to</p> <p>7 whether any transcripts provided by this</p> <p>8 applicant, on these various applications, are</p> <p>9 authentic or not?</p> <p>10 A. I am not aware that ECFMG has</p> <p>11 any transcripts for him unless they were</p> <p>12 submitted through the -- they may have been</p> <p>13 submitted through the residency application</p> <p>14 service program; but I don't believe we ever</p> <p>15 source verified a medical school transcript for</p> <p>16 Dr. Igberase, because it wasn't a requirement</p> <p>17 at the time he was certified.</p> <p>18 Q. Did it ever become a</p> <p>19 requirement?</p> <p>20 A. Yes.</p> <p>21 Q. When did that happen?</p> <p>22 A. Approximately 2004.</p> <p>23 Q. Are you aware of any other cases</p> <p>24 where allegations have been made of irregular</p>	<p>Page 110</p> <p>1 email.</p> <p>2 I'll have this marked as Exhibit</p> <p>3 4.</p> <p>4 - - -</p> <p>5 (Whereupon the document was</p> <p>6 marked, for identification purposes, as</p> <p>7 Exhibit Number CORRADO-4.)</p> <p>8 - - -</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. So Exhibit 4, I'll represent to</p> <p>11 you is another document we received in the</p> <p>12 course of discovery in this case, and it</p> <p>13 appears to be an email exchange involving --</p> <p>14 among staff in the special investigations team</p> <p>15 at ECFMG; is that right?</p> <p>16 A. That's right.</p> <p>17 Q. So it appears that an individual</p> <p>18 named Saraogi Chirag pulled data concerning the</p> <p>19 University of Ibadan and the University of</p> <p>20 Benin?</p> <p>21 A. I'm sorry, is that a question?</p> <p>22 Q. Yes.</p> <p>23 A. Yes, he did.</p> <p>24 Q. Are you aware of that project?</p>
<p>Page 111</p> <p>1 behavior concerning applicants who presented</p> <p>2 diplomas from the University of Ibadan?</p> <p>3 A. None that I can recall. Our</p> <p>4 falsified credentials are -- we get falsified</p> <p>5 credentials from all different parts of the</p> <p>6 world so I don't know off the top of my head if</p> <p>7 we ever had someone else from that medical</p> <p>8 school that submitted a falsified credential.</p> <p>9 Q. Do you know, both individually</p> <p>10 and as a representative of ECFMG, if anyone has</p> <p>11 been investigated for irregular behavior and</p> <p>12 that person has submitted a diploma from the</p> <p>13 University of Benin?</p> <p>14 A. My answer would be the same as</p> <p>15 the last, that I don't know of the cases that</p> <p>16 we reviewed over all time if there were any;</p> <p>17 it's possible, but any school essentially is</p> <p>18 possible. We get fraudulent credentials from</p> <p>19 different areas of the world.</p> <p>20 Q. You've received them from</p> <p>21 Nigeria before?</p> <p>22 A. I don't know. I'd have to</p> <p>23 check.</p> <p>24 Q. I wanted you to review another</p>	<p>Page 113</p> <p>1 A. Yes.</p> <p>2 Q. What was it about?</p> <p>3 A. This was a review of these two</p> <p>4 medical schools -- the applicants to ECFMG to</p> <p>5 determine if there were any open cases of an</p> <p>6 allegation of irregular behavior of another</p> <p>7 anomaly.</p> <p>8 Q. Was this motivated by the Akoda</p> <p>9 matter?</p> <p>10 A. Yes.</p> <p>11 Q. What were the findings, if any,</p> <p>12 of this investigation; what did you all</p> <p>13 conclude?</p> <p>14 A. If I recall correctly, there</p> <p>15 were no other incidents of irregular behavior</p> <p>16 or abnormalities.</p> <p>17 Q. No other incidents in the</p> <p>18 history of the organization?</p> <p>19 A. No. Not including people that</p> <p>20 we maybe had already concluded a case on, but</p> <p>21 was this anything from the past that had been</p> <p>22 open and not concluded.</p> <p>23 Q. Got it. Okay. So the</p> <p>24 conclusion that there weren't any other</p>

## KARA CORRADO

<p style="text-align: right;">Page 114</p> <p>1 incidents of irregular behavior from applicants  2 submitting credentials from these two  3 universities, that only applied to open cases  4 that hadn't yet been resolved by the  5 organization?</p> <p>6 A. Yes.</p> <p>7 Q. I want to just go through the  8 timeline a little bit of what happened here.  9 There are a lot of documents that you can refer  10 to in the -- review of exhibits from the  11 deposition of Bill Kelly. If you need to  12 verify something in reference to my questions,  13 please feel free to do so.</p> <p>14 My understanding is that  15 Igberase first applied to ECFMG in 1992?</p> <p>16 A. I believe that's correct.</p> <p>17 Q. He ultimately received a  18 certificate in 1993?</p> <p>19 A. Yes.</p> <p>20 Q. Then ECFMG received a separate  21 application from an individual, the same  22 individual going by the name Igberase Charles  23 in 1994?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 116</p> <p>1 A. No.  2 Q. Was it a requirement to state  3 one if you had one?  4 A. No.  5 Q. He indicated that he had not  6 taken an ECFMG examination before, correct?  7 A. That's correct.  8 Q. That statement was false?  9 A. Yes.  10 Q. In making that false statement,  11 that constituted irregular behavior?  12 A. In making the false statement?  13 Q. That he had never taken the  14 examination before?  15 A. That would constitute evidence  16 of irregular behavior.  17 Q. In fact, it was that same type  18 of irregular behavior that ultimately led to  19 the Igberase and Charles certificates being  20 revoked, correct?  21 A. That's correct.  22 Q. On page 705 of Exhibit 23 there  23 is a box for office use only in the lower  24 left-hand corner of the page. Can you tell me</p>
<p style="text-align: right;">Page 115</p> <p>1 Q. That certificate was issued to  2 him, I believe, in approximately 1995?  3 A. Yes.  4 Q. Then the creds committee, the  5 committee of medical education credentials,  6 revoked that certificate in '95?  7 A. Yes. Around that -- after that  8 meeting, yes.  9 Q. Then it appears that the same  10 individual -- I have a letter it's Exhibit 7 to  11 the Kelly deposition -- where the creds  12 committee announced it's revocation of that  13 certificate in December 1995?  14 A. Yes.  15 Q. Then the same individual,  16 according to exhibit 23 of the Kelly  17 deposition, applied as Akado in 1996?  18 A. Yes. So we received an  19 application from Johnbull Akado in '96.  20 Q. He did not provide a social  21 security number on this application, correct?  22 A. Yes, that's correct.  23 Q. Was it a requirement at that  24 time to provide one?</p>	<p style="text-align: right;">Page 117</p> <p>1 what those various codes and numbers mean?  2 A. I cannot tell you.  3 Q. Who can?  4 A. I don't know if there's anyone  5 that works at ECFMG that would know at this  6 point in time.  7 Q. Then this individual, under the  8 Igberase moniker, took an appeal from the  9 revocation of ECFMG certificates March 7, 1996?  10 MS. McENROE: Are you referring  11 to a specific exhibit you want her to  12 look at?  13 MR. THRONSON: Sure Exhibit 9.  14 THE WITNESS: Yes.  15 BY MR. THRONSON:  16 Q. It appears that ECFMG, the  17 appeals committee, a review committee?  18 A. Yes.  19 Q. They affirmed the decision of  20 the creds committee that limited the period of  21 revocation to five years?  22 A. That's correct.  23 Q. Why did they do that?  24 A. I don't know what their thought</p>

## KARA CORRADO

<p>1 process was.</p> <p>2 Q. With respect to the 1996</p> <p>3 application which is Exhibit 23, what was done</p> <p>4 to -- you mentioned earlier that ECFMG</p> <p>5 attempted primary-source verification with a</p> <p>6 medical school, the University of Benin and</p> <p>7 also verification of the medical registration</p> <p>8 with Benin.</p> <p>9 Did ECFMG conduct any other</p> <p>10 investigation or inquiry with respect to this</p> <p>11 application to determine whether it was true</p> <p>12 and accurate in any or all respects?</p> <p>13 A. ECFMG staff would have processed</p> <p>14 this application in accordance with the</p> <p>15 procedures that were in effect at the time to</p> <p>16 determine if there was another applicant in the</p> <p>17 database with this same information or name.</p> <p>18 Q. How would it do that?</p> <p>19 A. The staff person would search</p> <p>20 the database we had at the time, the system we</p> <p>21 were using. I don't know the specifics of how</p> <p>22 that system worked.</p> <p>23 Q. Did the staff ever investigate</p> <p>24 or inquire into whether the material (phonetic)</p>	<p>Page 118</p> <p>1 the system that had been data entered</p> <p>2 when the last person processed the last</p> <p>3 application.</p> <p>4 BY MR. THRONSON:</p> <p>5 Q. What data information was</p> <p>6 entered?</p> <p>7 A. Not all of the information on</p> <p>8 the application is data entered. So the</p> <p>9 biographic information, name, address, date of</p> <p>10 birth, social security number is provided. In</p> <p>11 the application software we would indicate</p> <p>12 whether they were a student or a graduate, test</p> <p>13 center information. Their fees would have been</p> <p>14 entered into the payment system.</p> <p>15 We did not key in any secondary</p> <p>16 school information. We would key in the</p> <p>17 medical school degree, school information,</p> <p>18 attended state's information, birth place, and</p> <p>19 citizenship would be collected as well.</p> <p>20 Q. Was the clerkship information</p> <p>21 entered?</p> <p>22 A. No. It was also not required to</p> <p>23 be completed.</p> <p>24 Q. So -- I'm wondering how to</p>
<p>Page 119</p> <p>1 steel was authentic or suspicious in any way?</p> <p>2 A. Not that I'm aware of. It was</p> <p>3 processed as any other application would be</p> <p>4 processed; with the same level of scrutiny.</p> <p>5 Q. So then in Exhibit 24, Akoda</p> <p>6 applies again, my recollection is that he</p> <p>7 either applied too late or he was a no show for</p> <p>8 one round of exams and so applied again, and</p> <p>9 this time indicated that he had taken an</p> <p>10 examine previously, or he applied before;</p> <p>11 correct?</p> <p>12 A. Yes.</p> <p>13 Q. Would ECFMG staff have compared</p> <p>14 the contents of this application to the</p> <p>15 contents of the previous application to see if</p> <p>16 there were any red flags?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: The staff would</p> <p>19 have updated any information the</p> <p>20 applicant had provided in the system. So</p> <p>21 generally speaking they wouldn't look at</p> <p>22 the paper application because it would be</p> <p>23 in the file.</p> <p>24 They would look at what was in</p>	<p>Page 121</p> <p>1 reconcile that statement with the statement</p> <p>2 right at the top, under part A, all items on</p> <p>3 all sides of the application must be filled out</p> <p>4 completely for initial and reexamination or</p> <p>5 application will not be accepted.</p> <p>6 A. Yes. There were fields in here</p> <p>7 that might not necessarily be applicable to</p> <p>8 each person.</p> <p>9 So as a matter of process, they</p> <p>10 were not required when we received the</p> <p>11 application; they would not have caused a</p> <p>12 rejection because that would have impeded the</p> <p>13 applicant over information that wasn't</p> <p>14 necessarily relevant to their registration for</p> <p>15 exam, and at that time we only gave exams, I</p> <p>16 think, twice or three times a year so it could</p> <p>17 be a problem if you missed the exam</p> <p>18 registration.</p> <p>19 So only the relevant information</p> <p>20 we needed was required.</p> <p>21 Q. If you take a look, compare it</p> <p>22 to 23 and 24 for a moment. Just the clinical</p> <p>23 clerkships under both. So I'm wondering if</p> <p>24 you'll agree that the clinical clerkship</p>

## KARA CORRADO

<p>1 information provided on page 706 of Exhibit 23  2 differs from the clinical clerkship information  3 provided on page 646 of Exhibit 24?  4 MS. McENROE: Objection to form.  5 THE WITNESS: In what way?  6 BY MR. THRONSON:  7 Q. So for example, the hospital and  8 the clinic in Exhibit 23, General Hospital  9 Warri; Exhibit 24, Specialist Hospital,  10 Benin/Warri?  11 A. So I would say that how the  12 information is presented is different, but I  13 wouldn't be able to say whether that was the  14 same hospital or not.  15 Q. Would it matter to ECFMG?  16 A. Not as it related to  17 certification or registration for examination.  18 Q. So under surgery for example, on  19 Exhibit 23, Akoda wrote he did a clerkship at  20 the Echos General Hospital Warri with  21 Dr. Henderson; and on Exhibit 24, he did it at  22 the Specialist Hospital Benin, Warri with  23 Dr. Eddiblekia (phonetic) -- or something like  24 that, but it's not Henderson, correct?</p>	<p>Page 122  1 requirement or process.  2 Q. Has it ever been?  3 A. Not to my knowledge.  4 Q. Has it ever been part of ECFMG's  5 process to inquire, to ask an applicant about,  6 when confronted with inconsistent information,  7 about clerkships?  8 A. No.  9 Q. When ECFMG received the  10 applications in Exhibit 23 and 24, did it check  11 them against its credentials reference  12 library?  13 MS. McENROE: Objection to form.  14 THE WITNESS: My understanding  15 of the process at the time was that the  16 credential would be checked against the  17 reference library.  18 Whether the person who was  19 processing these applications did that, I  20 was not there so I wouldn't be able to  21 say yes; but that was the process.  22 BY MR. THRONSON:  23 Q. Does ECFMG take a position  24 either way as to whether information submitted</p>
<p>1 A. Correct.  2 Q. If ECFMG staff had gone back and  3 looked at the paper applications and  4 compared this, these two applications in that  5 respect would that have prompted additional  6 investigation into this applicant?  7 MS. McENROE: Objection to form,  8 calls for speculation.  9 THE WITNESS: No. As I said the  10 clerkships were not required, and they  11 could have been partial clerkships. So  12 it might not necessarily be not true that  13 he had different surgery clerkships in  14 the same year.  15 BY MR. THRONSON:  16 Q. So it would not be part of  17 ECFMG's procedures to contact the applicant to  18 ask the applicant about this?  19 A. Not about clerkships, no.  20 Q. It would not be part of ECFMG's  21 procedures to contact these hospitals to verify  22 that this individual had completed clerkships  23 at these hospitals?  24 A. That was not part of our</p>	<p>Page 123  1 by this applicant, Akoda, was checked against  2 ECFMG reference library?  3 A. So I would say the diploma would  4 have been checked against the reference  5 library.  6 Q. How about the registration?  7 A. We would not check the  8 registration against the library. I don't  9 believe that certificates of registration were  10 in the library at that time.  11 Q. What did ECFMG do at the time  12 this application was submitted to make sure  13 that the credentials library was -- am I using  14 that term correctly?  15 A. Yes.  16 Q. Okay -- that the credentials  17 library was up-to-date with the most current  18 signatures that were being used on diplomas at  19 various schools?  20 A. There were processes in place to  21 have the staff update the library with copies  22 of verified credentials. So if the format was  23 the same on a diploma as the year before and  24 the official verified it, they would send a</p>

## KARA CORRADO

<p>1 copy of that diploma that had been verified to 2 the person that was responsible for putting the 3 documents into the library. 4 The library at that time was not 5 electronic. So it was a paper file library 6 that could be accessed by the staff if they 7 needed to cross reference. 8 Q. Are historical samples of the 9 diplomas maintained? For example, could you 10 take the diploma from the University of Benin, 11 Exhibit 25 from Kelly deposition, and go into 12 the reference library and say, hey, in '96 did 13 ECFMG have a document on file where these 14 signatures match the document that was in the 15 reference library? 16 A. So ECFMG has historical 17 information on diplomas. 18 Q. So it's the kind of record it 19 would typically maintain? 20 A. Yes. 21 MR. THRONSON: I'd like to 22 request that also. 23 MS. McENROE: Any new requests 24 that haven't been produced, if you can</p>	<p>Page 126</p> <p>1 application. 2 Q. If you could turn to Exhibit 33. 3 This is a request for permanent revalidation of 4 standard ECFMG certificate? 5 A. Yes. 6 Q. It looks here there's a social 7 security number -- there's an initial number 8 crossed out, then there's another number, it's 9 either 4065 or 9065 to my eye. Do you think 10 that's where ECFMG was provided that social 11 security number? 12 A. That's probably where the social 13 security number came from. 14 Q. Can you explain what Exhibit 33 15 is? 16 A. Exhibit 33 is a request for 17 permanent revalidation of the standard ECFMG 18 certificate. 19 At the time that Dr. Akoda was 20 ECFMG certified, the certificate had an 21 expiration date and it was based on the 22 validity of the English language test. So a 23 test of the English language was a requirement 24 for certification, and that would only be valid</p>
<p>1 put that in writing and we can evaluate 2 it following the deposition, that would 3 be fine. 4 MR. THRONSON: We'll see if 5 they're actually new, but we can work 6 that out later. 7 BY MR. THRONSON: 8 Q. It looks -- if you could just 9 turn to Exhibit 31. So this is a letter from 10 Steve Steeling to James McCorkle dated 11 August 22, 2000. 12 A. Yes. 13 Q. On the second paragraph of the 14 letter it reads, the social security number he, 15 Akoda, provided ECFMG in 1998 is 9065. Is that 16 ECFMG's understanding as well? 17 MS. McENROE: Objection to form. 18 THE WITNESS: I would say, yes, 19 if that's what we put in the letter at 20 that time. 21 BY MR. THRONSON: 22 Q. Do you know how that social 23 security number was provided to ECFMG? 24 A. I do not, unless it was on an</p>	<p>Page 127</p> <p>1 for a two-year period. 2 When the individual entered an 3 ACGME accredited program, they could then 4 request, on the basis of entering that training 5 program, a revalidation sticker for an 6 indefinite status so that they would not have 7 to continually revalidate the English 8 examination. 9 So this form is a request from 10 John Akoda requesting that revalidation sticker 11 for his certificate so that his status would be 12 updated to valid indefinitely. 13 Q. It looks like that request was 14 approved by ECFMG? 15 A. Yes. 16 Q. Can you tell who approved it by 17 the signature on the page? 18 A. No, I cannot. 19 Q. Looks like the document asks for 20 notarization but is not notarized, correct? 21 A. It doesn't appear to be 22 notarized. Whether there was an institutional 23 seal that was raised on that and you cannot see 24 on the copy I don't know.</p>

## KARA CORRADO

<p>1     Q.    When ECFMG received a request 2 like this, would it look anything up in the 3 system about the applicant before granting the 4 request?</p> <p>5     A.    ECFMG would process these in the 6 system, the information you would be looking up 7 would be related to the certification status; 8 keying in the ID number and pulling up the 9 correct record.</p> <p>10    Q.    Is part of that process -- was 11 it the procedure of ECFMG to verify that the 12 applicant's name was consistent between the 13 request for permanent revalidation and the name 14 that was on file for the applicant?</p> <p>15    A.    That was not part of the process 16 that I'm aware of.</p> <p>17    Q.    Was it the process of ECFMG to 18 verify that the date of birth given on the 19 request for permanent revalidation was 20 consistent with the date of birth on file with 21 ECFMG for the applicant?</p> <p>22    A.    Not that I'm aware of.</p> <p>23    Q.    Was there -- did ECFMG have any 24 requirements for its staff as to verifying</p>	<p>Page 130</p> <p>1 expanded versions of the names. 2     Q.    How do you know it's the 3 expanded version of the name?</p> <p>4     A.    John is part of the name of 5 Johnbull and Nosa is part of the name 6 Enosakhare.</p> <p>7     Q.    Obviously you can have 8 circumstances where an applicant's name 9 differed between a diploma and an application 10 the difference was benign and didn't reflect 11 anything about the authenticity of the 12 application, or the trustworthiness of it, or 13 the trustworthiness of the diploma; right?</p> <p>14    A.    Yes. You're asking me if we can 15 have benign variations in the name?</p> <p>16    Q.    Right.</p> <p>17    A.    Yes, there could be variation in 18 the name from the diploma to the name on the 19 applicant record.</p> <p>20    Q.    There can also be variations 21 between the diploma and the name on the 22 applicant record that are not benign that may 23 suggest misconduct on the part of the applicant 24 or third parties, correct?</p>
<p>1 information on a request for permanent 2 revalidation was consistent with information 3 that it had on file for the applicant?</p> <p>4     A.    I don't know what the specific 5 procedures were in terms of processing these 6 requests.</p> <p>7     Q.    Obviously the name on this 8 application, John Charles Akoda, is different 9 than John Nosa Akoda?</p> <p>10    A.    Yes.</p> <p>11    Q.    The date of birth of 12 4/17/63 that's on the request for permanent 13 revalidation is different than the date of 14 birth that Akoda gave on his applications to 15 ECFMG of --</p> <p>16    A.    Yes.</p> <p>17    Q.    Now there's a difference between 18 the name on Akoda's diploma which you can see 19 on Exhibit 25. The name on the diploma is 20 Johnbull Enosakhare Akoda?</p> <p>21    A.    Yes.</p> <p>22    Q.    And that's different obviously 23 then John Nosa Akoda?</p> <p>24    A.    Yes. It appears to be the</p>	<p>Page 131</p> <p>Page 133</p> <p>1     A.    Yes. If someone submitted a 2 diploma with a totally different name. I don't 3 know if I would characterize it as benign or 4 not benign, but it would raise a question.</p> <p>5     Q.    Did ECFMG take any steps at this 6 time when it was faced with an application, 7 where the name on the application differed from 8 the name on the diploma, to determine whether 9 that difference, as we've characterized it, was 10 benign or not?</p> <p>11    A.    At the time, the processes would 12 have allowed for cultural variations in names, 13 and in shortening names, like Johnbull -- so 14 would not have seemed incongruent with the 15 person whose name was on the application.</p> <p>16    If the diploma name was Johnbull 17 and he's applying as John, the name of record 18 would be sent to the medical school when 19 verifying this diploma. So the name of record, 20 if it varied, would be on the form that the 21 school would be verifying with this diploma 22 attached to it.</p> <p>23    Q.    The name of the record being the 24 name on the application?</p>

## KARA CORRADO

<p>1       A.    Yes.</p> <p>2        MS. McENROE: We've been going 3        for about an hour and 40 minutes, is this 4        a good time to take a short break.</p> <p>5        MR. THRONSON: Sure.</p> <p>6        ---</p> <p>7        (Whereupon there was a brief 8        recess in the proceeding.)</p> <p>9        ---</p> <p>10       MR. THRONSON: Back on.</p> <p>11 BY MR. THRONSON:</p> <p>12       Q.    Ms. Corrado, looking at Exhibit 13      25 in front of you. You'll see there's a stamp 14      on it, received August 11, 2011, by the 15      Maryland Board of Physicians.</p> <p>16       Do you know why that stamp is 17      there and why a Maryland Board of Physicians 18      document is in the ECFMG files?</p> <p>19       MS. McENROE: Objection to form.</p> <p>20       THE WITNESS: I don't know. The 21      Maryland Board of Physicians would have 22      been responsible for licensing Dr. Akoda. 23      My understanding of their current 24      process, is that as part of the</p>	<p>Page 134</p> <p>1        I'm not aware of anything prior 2        to that, so I can't speculate.</p> <p>3        Q.    What was the request that you 4        got in 2014 about?</p> <p>5        A.    The Maryland Board reached out 6        to us for, I believe, file copies or specific 7        copies of documents on Dr. Akoda and 8        Dr. Igberase.</p> <p>9        Q.    Do you know why?</p> <p>10       A.    I don't know. I don't know.</p> <p>11 There's an email, I think about it.</p> <p>12       Q.    Yeah, there was a reference, I 13      believe, in one of these emails to the 14      information you had provided the board in 2014, 15      and there was a detective in one of the emails 16      who was in a sex crimes unit or sexual assault 17      unit.</p> <p>18       Do you recall any sex crimes or 19      sexual assaults investigation that ECFMG 20      provided information in connection with or 21      participated in?</p> <p>22       MS. McENROE: Objection to form.</p> <p>23       You mean specifically for Dr. Igberase 24      and Dr. Akoda?</p>
<p>1       application process for an international 2      medical graduate they have to source 3      verify the medical education credentials.</p> <p>4       Maryland currently has a form 5      where they will either accept the 6      verification through the Federation of 7      State Medical Boards or directly 8      themselves. So they have a form that 9      they require the individual to send to 10     the medical school and must be sent back 11     directly to Maryland.</p> <p>12       So I don't know why the Maryland 13      Board of Physician's copy is in this 14      file.</p> <p>15 BY MR. THRONSON:</p> <p>16       Q.    Okay. Would it have happened as 17      the result of any criminal investigation that 18      ECFMG cooperated in?</p> <p>19       A.    I don't -- I don't know.</p> <p>20       My understanding of what -- when 21      we have requests on information about the case, 22      particularly -- I know we got a request from 23      the board of physicians in about the 2014 time 24      period.</p>	<p>Page 135</p> <p>1        MR. THRONSON: Correct.</p> <p>2        THE WITNESS: There was a 3      request around that same time period from 4      an individual, law enforcement, that I 5      think was in a sex crimes unit.</p> <p>6 BY MR. THRONSON:</p> <p>7       Q.    Do you know any of the details 8      or allegations that prompted that request?</p> <p>9       A.    I do not. ECFMG's procedure 10     when it comes to a request from law enforcement 11     is generally to cooperate with law enforcement.</p> <p>12       So if a law enforcement official 13      reaches out and indicates to us that they have 14      an active investigation about an individual, we 15      will provide the information that they seek if 16      appropriate and if we have it.</p> <p>17       Q.    Do you know what information you 18      provided in connection with that investigation?</p> <p>19       A.    I believe we provided -- the 20      files we provided would be included in the 21      documents that are in this, in the binders.</p> <p>22       Q.    So we got a little over 10,000 23      pages. Do you think you gave all of that or... 24       A.    If they requested for the file,</p>

## KARA CORRADO

<p style="text-align: right;">Page 138</p> <p>1 we would have give them a copy of his file,    2 both files for those individuals. If they only    3 requested specific pieces of the file, like an    4 application, then we would give them that. It    5 just depends on what they're looking for.</p> <p>6 Q. Just to close this out. So    7 there was an investigation that the Maryland    8 Board of Physicians was doing that was around    9 the 2014 time period?</p> <p>10 A. That's my understanding from    11 their communication.</p> <p>12 Q. Were you involved in responding    13 to the inquiries from the Maryland Board?</p> <p>14 A. No, I was not.</p> <p>15 Q. Do you know what information was    16 provided?</p> <p>17 A. I know what information was    18 provided in the sense we provided the file. I    19 just don't know which parts of it at this    20 particular moment were provided; but what they    21 asked for we would have provided.</p> <p>22 Q. Do you know what the outcome    23 was?</p> <p>24 A. I do not; other than at the end</p>	<p style="text-align: right;">Page 140</p> <p>1 A. My understanding is that the    2 authorities were reviewing a matter involving    3 Dr. Igberase and Dr. Akoda and that there was    4 some type of potential fraud. They asked us    5 for information, and they asked us not to    6 provide information to anyone about their    7 investigation, because they were worried about    8 not being able to catch him. I think that's    9 generally the knowledge that I have of that    10 request.</p> <p>11 Q. Not being able to catch him    12 because he would flee the country?</p> <p>13 A. I'm not sure. It appeared from    14 the information that we have from them they    15 were trying to catch him, for a lack of better    16 words, and they were worried that he somehow    17 would be able to slip through. If he had got    18 any notice that someone was looking at his    19 record, it might tip him off.</p> <p>20 Q. Did you understand that to be a    21 legal obligation that you had to not notify    22 anyone about the investigation, or not notify    23 anyone about the potential fraud that Igberase    24 may have committed?</p>
<p style="text-align: right;">Page 139</p> <p>1 of all of this, his Maryland license was    2 revoked.</p> <p>3 Q. Do you know what the outcome of    4 the sex crimes investigation was?</p> <p>5 A. I do not.</p> <p>6 Q. At some point you were contacted    7 by a federal law enforcement?</p> <p>8 A. Yes.</p> <p>9 Q. Who contacted you and when?</p> <p>10 A. I'm sorry, I don't remember the    11 name of the agent; and it was sometime, I    12 think, in the 2015 or 2016 time period.</p> <p>13 Q. That was FBI or U.S. Attorney's    14 Office?</p> <p>15 A. I believe it was -- I'm not    16 sure. I think there's communication that we    17 have in there. I don't want to misrepresent    18 who reached out to us; but yes, a federal    19 agency reached out to us in that time period.</p> <p>20 MR. THRONSON: I have not seen    21 it, but we can talk about that.</p> <p>22 BY MR. THRONSON:</p> <p>23 Q. What was your understanding of    24 the purpose of the investigation?</p>	<p style="text-align: right;">Page 141</p> <p>1 MS. McENROE: Objection to form.    2 THE WITNESS: I would say that    3 we generally cooperate with law    4 enforcement. So if they asked us not to    5 do anything or not to provide information    6 to other parties we would generally do    7 what they ask of us.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. Do you know generally what    10 information you provided to law enforcement in    11 connection to that investigation; 2015, 2016?</p> <p>12 A. So we would have provided the    13 files to the authorities on that investigation.</p> <p>14 Q. The files, as I understand it,    15 there are two hard files that we had the    16 opportunity to go through today that are under    17 the Igberase applicant number and Akado    18 applicant number, right?</p> <p>19 A. Yes.</p> <p>20 Q. What other files does ECFMG    21 maintain relative to Akado?</p> <p>22 A. Those are the hard copy file and    23 there would be an electronic file which would    24 have copies of some of the documents in there.</p>

## KARA CORRADO

<p>1        We started doing electronic  2 files after Dr. Igberase came through our  3 system. So all of his information would be in  4 paper file, and then if he had communicated  5 with us after that time, that would be in the  6 electronic file and we would, when law  7 enforcement asked, combine those two things.</p> <p>8        Q.    Is there a software program you  9 use to access the electronic file?</p> <p>10      A.    Yeah. I forget what it's  11 called, but you can access the scanned  12 documents.</p> <p>13      Q.    They are stored on a hard drive  14 somewhere at ECFMG?</p> <p>15      A.    I don't know if they are on a  16 hard drive.</p> <p>17      Q.    Or the cloud?</p> <p>18      A.    But, yes, they are stored  19 somewhere in the electronic file.</p> <p>20      Q.    Then is there a separate  21 electronic file that contains perhaps internal  22 memos about Akoda, deliberations, things of  23 that nature?</p> <p>24      A.    The file, the record I should</p>	<p>Page 142</p> <p>1        that was reported to us by the residency  2 program at the time. So at that time  3 there would have been a review of that  4 scenario to determine if there was  5 sufficient evidence of irregular  6 behavior. If he had violated any of our  7 policies or provided any false documents  8 or anything like that to ECFMG.</p> <p>9 BY MR. THRONSON:</p> <p>10      Q.    If you turn to Exhibit 34, this  11 is a letter from James McCorkle at Jersey Shore  12 Medical Center to Rice Holmes at ECFMG sent and  13 received on August 11, 2000. This contains, I  14 believe, the information you were just  15 discussing about Akoda was using a social  16 security number that was issued to Igberase.</p> <p>17        In the first paragraph McCorkle  18 reports that Akoda admitted using these various  19 names, Igberase, Charles Igberase and also  20 having admitted to using three birth dates.</p> <p>21        Do you see that information?</p> <p>22      A.    I do.</p> <p>23      Q.    Did I characterize that  24 accurately?</p>
<p>1 say in our system, may include comments from  2 our staff that are progressing, that wouldn't  3 necessarily be in the electronic file. Those  4 are more operational kind of comments, you  5 know, process this, send it there.</p> <p>6        The decision of the medical  7 education credentials committee are kept in the  8 applicant's file, but the minutes from the  9 meeting are not kept in the applicant's file.  10 So that would be the only other record, if you  11 will, of the applicant's irregular behavior.</p> <p>12      Q.    Everything else would be in the  13 applicant's file?</p> <p>14      A.    It would be in the file. It  15 would be in the system, the electronic system.</p> <p>16      Q.    Going back to our story. When  17 did ECFMG first become aware that Akoda. Sorry  18 I'm skipping around.</p> <p>19        When did ECFMG first become  20 aware that Akoda engaged in irregular behavior?</p> <p>21      MS. McENROE: Objection to form.</p> <p>22      THE WITNESS: There was  23 allegation that he had used a social  24 security number that was not his, and</p>	<p>Page 143</p> <p>Page 145</p> <p>1        A.    Yes.</p> <p>2        Q.    He mentions the social security  3 number 9065. That's the same number on the  4 request to permanently revalidate his  5 certificate that we looked at earlier, right?</p> <p>6        A.    Yes, I believe it was.</p> <p>7        Q.    So is this the first date on  8 which ECFMG became aware that Akoda might have  9 engaged in irregular behavior when it got this  10 letter?</p> <p>11        MS. McENROE: Objection to form.</p> <p>12        THE WITNESS: Yes. Either on or  13 about this date. I don't know if he  14 called before that and then faxed this  15 over.</p> <p>16 BY MR. THRONSON:</p> <p>17      Q.    There wasn't anything before  18 this?</p> <p>19      A.    Not that I'm aware of.</p> <p>20      Q.    In the procedures we were  21 discussing earlier regarding irregular  22 behavior, there's a discussion about what makes  23 a credible allegation and an allegation that's  24 considered not credible.</p>

## KARA CORRADO

<p>1 Is an allegation that's reported 2 by a vice president of academic affairs at a 3 residency program typically considered 4 credible?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: So it depends on 7 what the information is. If the 8 credibility of the individual -- I would 9 say it just depends on what the 10 information is they are providing to us; 11 but generally if it's a residency program 12 director who's signing it that we can 13 follow up with, it would be something we 14 would follow up on.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. Have you reviewed the 17 correspondence with Jersey Shore and the notes 18 that William Kelly made in the file regarding 19 his conversations with Jersey Shore?</p> <p>20 A. Yes.</p> <p>21 Q. It appears that Akoda came to 22 visit Kelly around September 27, 2000, and this 23 is -- you can see a memo about this Exhibit 41. 24 Exhibit 41 to Kelly's deposition is a memo to</p>	<p>Page 146</p> <p>1 So whether he or she filled it 2 out based on the information he provided to 3 Jersey Shore, then it was sent to ECFMG.</p> <p>4 Q. Got it. So at some point -- but 5 before this memo was released and before the 6 request for permanent recertification, Akoda 7 had submitted a social security number to ECFMG 8 that he represented was his, but it wasn't; 9 right?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: So the answer to 12 that question is yes, but that wasn't 13 something that was known to us at that 14 time, when we received this form.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. But by September 27, 2000, when 17 Kelly wrote this memorandum, that was known to 18 ECFMG?</p> <p>19 A. Right. We would have known that 20 he presented that social security number to the 21 program, and that he claimed that it wasn't 22 his, that it was Igberase's.</p> <p>23 Q. ECFMG would have known around 24 that time that Akoda submitted a false social</p>	<p>Page 148</p>
<p>1 file regarding Akoda. Have you reviewed this 2 document before?</p> <p>3 A. Yes.</p> <p>4 Q. It is as I described?</p> <p>5 A. Yes.</p> <p>6 Q. So according to Kelly, he 7 admitted -- Akoda admitted to using Igberase 8 Charles's social security number?</p> <p>9 A. Yes.</p> <p>10 Q. So at that point surely 11 Dr. McCorkle's allegation that Akoda had 12 submitted a false social security number would 13 have been regarded as credible by ECFMG?</p> <p>14 A. That he submitted a false social 15 security number to the program, yes.</p> <p>16 Q. And he also submitted that false 17 social security number to ECFMG, correct?</p> <p>18 A. If...</p> <p>19 Q. On the request for permanent 20 certification at least if you turn to...</p> <p>21 A. Yes, because that's -- well, 22 that's the social security number that the 23 program -- that form is usually completed by 24 the program coordinator.</p>	<p>Page 147</p> <p>1 security number to ECFMG itself, correct?</p> <p>2 A. It would depend on whether -- I 3 mean we would have known, yeah. I think we put 4 that in the letter to them, we got the social 5 security number. So if -- if we knew because 6 they advised us that he had used the other 7 social security number that that was not his 8 social security number, yes.</p> <p>9 Q. If you turn to Exhibit 31, this 10 is the letter we were talking about earlier. 11 Exhibit 31 to the Kelly deposition from Steve 12 Seeling to James McCorkle. In the second 13 paragraph Steve Seeling states the social 14 security number he provided ECFMG in 1998 is 15 9065?</p> <p>16 A. Yes, I see that.</p> <p>17 Q. Providing a false social 18 security number or using a false social 19 security number can be a federal, criminal 20 offense; correct?</p> <p>21 MS. McENROE: Objection to form; 22 calls for a legal conclusion.</p> <p>23 THE WITNESS: That's my 24 understanding, yes.</p>	<p>Page 149</p>

## KARA CORRADO

<p style="text-align: right;">Page 150</p> <p>1 BY MR. THRONSON:</p> <p>2 Q. At least based on the plea 3 agreement and so fourth --</p> <p>4 A. Yes.</p> <p>5 Q. Right, and it was also one of 6 the reasons that Akoda was ultimately kicked 7 out of the Jersey Shore residency, right?</p> <p>8 A. Yes.</p> <p>9 Q. Under ECFMG's judgement would 10 providing a false social security number to 11 ECFMG at that time have constituted irregular 12 behavior?</p> <p>13 A. I think it would depend on the 14 circumstances around how the information was 15 provided and what evidence we had of that.</p> <p>16 Q. Do you have a sense of what, 17 after ECFMG became aware that -- well, let me 18 back up. You said it would depend on the 19 circumstances. So under the circumstances of 20 this case, is it ECFMG's position that Akoda 21 providing a false social security number to 22 ECFMG in 1998 constituted irregular behavior?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: What I know is</p>	<p style="text-align: right;">Page 152</p> <p>1 were trying to subvert our processes like 2 Dr. Igberase did in using different 3 pieces of information in order to subvert 4 the policy that you can't retake the 5 exam, then you would have evidence of 6 irregular behavior.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. How about giving a false name on 9 an application, would you agree that in 10 applying for ECFMG certification in 1996 that 11 an individual identified himself as John Nosa 12 Akoda and that's a false name?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: Someone applied to 15 ECFMG in 1996 and used the name John Nosa 16 Akoda, and based on the facts that were 17 stipulated in plea bargain Igberase has 18 stated that he used John Nosa Akoda's 19 name.</p> <p>20 BY MR. THRONSON:</p> <p>21 Q. It appears that Kelly suspected 22 in 2000 that Akoda and Igberase were the same 23 person, right?</p> <p>24 A. Yes. He, I think, had a</p>
<p style="text-align: right;">Page 151</p> <p>1 that it constituted the allegation from 2 the residency program; constituted enough 3 information for us to do an investigation 4 on that, but we did not have sufficient 5 evidence of the irregular behavior to 6 charge him with irregular behavior.</p> <p>7 So there would be a policy tie 8 to the provision of false information. 9 For example, I don't know where anybody 10 lives, you could put an address on the 11 application that is not really your 12 address. You might be using someone 13 else's address that you know. I don't 14 know that that necessarily constitutes 15 irregular.</p> <p>16 So if I have evidence of -- if 17 someone wrote a social security number on 18 the application and maybe the number is 19 off, I don't have any way to verify 20 whether the social security is valid or 21 not.</p> <p>22 So if you were providing a false 23 number to us, in addition to other pieces 24 of information, that would show that you</p>	<p style="text-align: right;">Page 153</p> <p>1 suspicion.</p> <p>2 Q. McCorkle did as well?</p> <p>3 A. That's my understanding based on 4 the notes from the file.</p> <p>5 Q. Obviously Akoda -- it was 6 irregular behavior for Akoda to retake 7 examinations that he had already taken, 8 correct?</p> <p>9 MS. McENROE: Objection to form.</p> <p>10 THE WITNESS: It would be a 11 policy violation. So if we had the 12 evidence to prove that he wasn't two 13 different people, then we would charge 14 him with irregular behavior which is what 15 the review that happened at that time was 16 intended to look at; is there sufficient 17 evidence here that we can demonstrate he 18 is the same person to charge with 19 irregular behavior.</p> <p>20 After that review, there was at 21 that time and subsequently not evidence 22 to make the allegation.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. Let's look at Exhibit 49. So</p>

## KARA CORRADO

<p style="text-align: right;">Page 154</p> <p>1 this is a memorandum from the file that Kelly    2 wrote separately, "since I did not think it    3 should be made part of the official file"?</p> <p>4 A. I don't think that's what I    5 have.</p> <p>6 Q. I'm sorry, 48. So you have    7 Kelly Exhibit 48 in front of you?</p> <p>8 A. Yes, I do.</p> <p>9 Q. This is the memo that Kelly    10 wrote to file on December 22, 2000, that was    11 not made part of the official file?</p> <p>12 MS. McENROE: Just for    13 clarification you said "to file," are you    14 introducing a document?</p> <p>15 MR. THRONSON: Right. It says,    16 "attached is a copy of the memorandum for    17 the file, this memorandum is being    18 written separately since I did not think    19 it should be made part of the official    20 file."</p> <p>21 THE WITNESS: That's what it    22 says, yes.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. So I guess my first question is,</p>	<p style="text-align: right;">Page 156</p> <p>1 THE WITNESS: The    2 investigations -- I think what this may    3 be referring to now -- and I'm sorry to    4 clarify this. When we start an    5 investigation on an individual, generally    6 because there's a lot of information that    7 we are collecting, we used to collect the    8 information in, and in a manila file like    9 this. That would be kept, in a sense,    10 with the official paper file of the    11 individual, in the office of the person    12 who was reviewing it.</p> <p>13 So if Mr. Kelly was working on a    14 case, he would have the official file and    15 then there would probably be a working    16 file for the investigation that would    17 contain information relevant to the    18 investigation that was ongoing. So that    19 would be my assumption on what Mr. Kelly    20 is indicating here.</p> <p>21 Ultimately those files are    22 marked with the individual's name and so    23 they are stored -- if the person has a    24 paper file they're stored probably inside</p>
<p style="text-align: right;">Page 155</p> <p>1 what is the difference between the official    2 file and the file?</p> <p>3 A. I'm not aware of what    4 Mr. Kelly's intentions were in terms of two    5 separate files.</p> <p>6 My understanding is that this is    7 a document -- he wanted to document the    8 discussion that he had with McCorkle, but it    9 wouldn't be made part of the official file in    10 terms of, I guess, potentially giving a copy of    11 the file.</p> <p>12 Sometimes applicants require a    13 copy of the file or if someone else required it    14 in the normal course of credentialing. If they    15 needed something it wouldn't be part of the    16 official file.</p> <p>17 Q. Where was it stored at ECFMG;    18 where was it filed?</p> <p>19 A. I believe it was filed in a    20 paper file with Dr. Akoda's file.</p> <p>21 Q. I would have thought that would    22 be the official file. I guess are we talking    23 about multiple files pertaining to Akoda?</p> <p>24 MS. McENROE: Objection to form.</p>	<p style="text-align: right;">Page 157</p> <p>1 the paper file, which is where I assume    2 this was.</p> <p>3 BY MR. THRONSON:</p> <p>4 Q. Is there a separate    5 investigative file today which pertains to    6 Igberase or Akoda?</p> <p>7 A. No.</p> <p>8 Q. Who decides whether something is    9 made part of the official file or separate    10 investigative file?</p> <p>11 A. Currently today, the case    12 managers will create an electronic file they    13 can work out of when they receive information,    14 but all that information becomes part of the    15 individual's official electronic file.</p> <p>16 So if I'm working on a case and    17 I have email correspondence and I have    18 correspondence with the school, I keep it in an    19 electronic file that is shared in that    20 investigative department. Then once that case    21 is concluded all of that information is put    22 into the official electronic file. So it's    23 just like a working file that ultimately ends    24 up in the official file.</p>

## KARA CORRADO

<p style="text-align: right;">Page 158</p> <p>1 Q. So today everything that was in 2 the working file's correspondence to this case 3 should be in the hard files?</p> <p>4 A. Yes.</p> <p>5 Q. So in the third paragraph Kelly 6 goes through some evidence, he talks about his 7 belief that Akoda and Igberase are one and the 8 same, right?</p> <p>9 A. Yes.</p> <p>10 Q. And states that Akoda admitted 11 in writing that he used Igberase's social 12 security number, correct?</p> <p>13 A. Yes.</p> <p>14 Q. And he also admitted that in 15 person when he visited the office on September 16 27, 2000, I think we went over that?</p> <p>17 A. Yes. Yes, sorry.</p> <p>18 Q. He said, I don't think this is 19 enough for the committee. Is that also ECFMG's 20 position at this time, that the evidence as of 21 December 22, 2000, that was reasonably 22 available to ECFMG, was not enough to refer the 23 case to the credentials committee?</p> <p>24 A. Yes. I did not review it at</p>	<p style="text-align: right;">Page 160</p> <p>1 that person, that was consistent with 2 what we understood he told the residency 3 program, that it was his cousin, and he 4 appeared in the office with the passport 5 and the driver's license to demonstrate 6 he was a separate person.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. He says at the end of the 9 letter, we need to brainstorm on this one -- 10 this memo, sorry, we need to brainstorm on this 11 one, maybe Shirley Williams can sit in. Who is 12 Shirley Williams?</p> <p>13 A. Shirley Williams was an employee 14 at ECFMG. She has retired. In her latest 15 roles for quite sometime, at least 10 years, 16 she was a board secretary to FAIMER which is 17 the Foundation for the Advancement of 18 International Medical Education and Research 19 which is ECFMG's foundation. Prior to that, 20 sometime earlier in her career, and she worked 21 at ECFMG for I think over 30 years, she worked 22 on, I think, the cases that were related to 23 restricting records of irregular behavior if 24 they came from the USMLE program. She may</p>
<p style="text-align: right;">Page 159</p> <p>1 this time, but I reviewed the file again when 2 the federal authorities reached out to us, and 3 I came to the same conclusion that there was 4 not sufficient evidence based to make the 5 allegation of irregular behavior based on the 6 file and the information that ECFMG had.</p> <p>7 We ultimately connected the two 8 together, once Igberase stipulated that he 9 provided that name to us and represented 10 himself as such to us.</p> <p>11 Q. Kelly also mentions that he 12 wrote to Igberase and Akoda responded, correct?</p> <p>13 A. Yes.</p> <p>14 Q. Would it have been inappropriate 15 for Kelly to refer this case to the credentials 16 committee at this point?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 THE WITNESS: I wouldn't use the 19 term inappropriate, but I would use the 20 term it didn't have sufficient evidence 21 for an allegation to be made to refer to 22 the committee because it was a suspicion 23 at the time, and we had not specific 24 evidence other than him saying, I'm not</p>	<p style="text-align: right;">Page 161</p> <p>1 have been an admin support for the board or for 2 the committee as well, but I'm not sure what 3 her specific role was.</p> <p>4 Q. Did ECFMG do anything to 5 determine whether the passport and 6 international driving certified that Akoda 7 provided to ECFMG in 2000 were genuine or 8 authentic?</p> <p>9 A. Other than their appearance of 10 being genuine or authentic, no.</p> <p>11 Q. What would it have done to 12 investigate -- what did it do to investigate 13 the appear -- when you say appearance were 14 there particular things that ECFMG assessed 15 from the document?</p> <p>16 A. My assumption would be that if 17 Dr. Akoda came in with a photocopy of a 18 passport and tried to pass it as an original 19 that would have triggered a question about it.</p> <p>20 So I don't know that we were 21 looking at any specific details on the 22 passport, but if somebody hands you a passport 23 it looked and felt to Mr. Kelly to be an actual 24 passport and driver's license.</p>

## KARA CORRADO

<p style="text-align: right;">Page 162</p> <p>1 Q. Does ECFMG inquire of any other 2 organizations today or entities to confirm the 3 validity of government issued documents such as 4 passports?</p> <p>5 A. Today as part of our 6 identification process and our work with Notary 7 Cam, we may reach out to a third party to help 8 validate passports and we use software to help 9 validate.</p> <p>10 Not that it's -- the software 11 doesn't determine if it's a validly issued 12 passport, it determines whether the features of 13 the passport appear as they should. So the 14 system is picking up if there could be any 15 potential abnormalities in the passport.</p> <p>16 Q. If you could turn briefly to 17 Exhibit 42. This is a photocopy of the 18 passport that Akoda provided to ECFMG in 19 September of 2000?</p> <p>20 A. Yes.</p> <p>21 Q. You note that it lists the place 22 of birth as Lagos?</p> <p>23 A. Yes, that's what it says.</p> <p>24 Q. If you look at Exhibit 23, turn</p>	<p style="text-align: right;">Page 164</p> <p>1 MS. McENROE: Objection to form. 2 THE WITNESS: You mean look at 3 the birth places on the applications? 4 BY MR. THRONSON:</p> <p>5 Q. Yeah, could compare the birth 6 place listed on the passport to the birth 7 places listed on these two applications?</p> <p>8 A. Sure he could have done that. 9 He may have done that, but we wouldn't have the 10 information to know which is the correct city 11 of birth.</p> <p>12 Q. Could Mr. Kelly also have 13 compared, or anyone at ECFMG compared the 14 photograph on the passport with the photographs 15 accompanying the applications of Akoda, 16 Igberase?</p> <p>17 MS. McENROE: Objection to form; 18 calls for speculation.</p> <p>19 THE WITNESS: You could have. 20 It's not sort of presented to you right 21 there when you pull up the record, so you 22 have to look through the file to see a 23 photograph of the individual.</p> <p>24 Q. Did ECFMG ever take any action</p>
<p style="text-align: right;">Page 163</p> <p>1 to page two of that. This is an application 2 that Akoda submitted to ECFMG?</p> <p>3 A. Yes.</p> <p>4 Q. What's the place of birth listed 5 there?</p> <p>6 A. Benin City, Nigeria.</p> <p>7 Q. Those are different cities?</p> <p>8 A. Yes, that's my understanding.</p> <p>9 Q. If you turn to Exhibit 15, it's 10 an application that Igberase submitted to 11 ECFMG?</p> <p>12 A. Yes.</p> <p>13 Q. Dated, I guess, he signed it 14 10/18/2000 on the last page?</p> <p>15 A. Yes.</p> <p>16 Q. Turn to the third page of the 17 application Bates 3467?</p> <p>18 A. Yes.</p> <p>19 Q. I'm sorry. The first page of it 20 3465. What's the place of birth that Igberase 21 listed on his application?</p> <p>22 A. Lagos, Nigeria.</p> <p>23 Q. Obviously this is an exercise 24 that Mr. Kelly could have done at the time?</p>	<p style="text-align: right;">Page 165</p> <p>1 to verify that the passport was authentic?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: No.</p> <p>4 BY MR. THRONSON:</p> <p>5 Q. Does it take the position today 6 that the passport that Akoda provided is 7 authentic?</p> <p>8 A. No, based on the information 9 that was stipulated to in the plea bargain that 10 he said, I presented a false passport to ECFMG.</p> <p>11 Q. Did it ever compare the 12 photographs accompanying the application of 13 Igberase and Akoda to assess if, to determine 14 if there was additional evidence in those 15 photographs to suggest that these two 16 applicants may be, in fact, the same 17 individual?</p> <p>18 A. It's likely that we would have 19 looked at the photographs but the photographs 20 would have been years apart, and we are not 21 necessarily experts in determining whether this 22 photograph is a photograph of that same person 23 so the could have looked similar. The person 24 who is reviewing the file might say, yeah they</p>

## KARA CORRADO

<p style="text-align: right;">Page 166</p> <p>1 look similar, but there would be no way for us 2 to know if it was the same person in those 3 photographs.</p> <p>4 Q. If they were similar, that would 5 be additional evidence that could substantiate 6 the allegation of irregular behavior?</p> <p>7 MS. McENROE: Objection to form.</p> <p>8 THE WITNESS: It could.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. So you don't know for sure one 11 way or the other if that was ever done?</p> <p>12 A. My assumption would be that it 13 was. When we were investigating, we would look 14 at the files together.</p> <p>15 Q. We were looking earlier at 16 Exhibit 46. So it appears in this memo that 17 Kelly is referring -- I'm sorry.</p> <p>18 MR. VETTORI: 48.</p> <p>19 MR. THRONSON: 48. While you're 20 at it could you also pull out 36.</p> <p>21 BY MR. THRONSON:</p> <p>22 Q. So let's first look at 36. The 23 Kelly deposition. This is a letter from 24 Mr. Kelly to Akoda dated August 22, 2000?</p>	<p style="text-align: right;">Page 168</p> <p>1 in person from Dr. Akoda to Mr. Kelly, and I 2 believe maybe an email. I'm just not sure of 3 the time frame and I don't think it was within 4 the 15 days.</p> <p>5 Q. Then he wrote, the information 6 in your ECFMG file together with your 7 explanation and any other material you submit 8 will be referred to the ECFMG committee on 9 medical education credentials for review at its 10 next scheduled meeting.</p> <p>11 Did I read that correctly?</p> <p>12 A. Yes.</p> <p>13 Q. So at the time of writing this 14 letter Kelly apparently believed there was 15 sufficient information to refer Akoda's file to 16 the credentialing committee for review?</p> <p>17 A. Yes. Well, he's writing to him 18 telling him about the allegation and asking him 19 for an explanation and then saying it would be 20 referred to the committee, yes.</p> <p>21 Q. When was it first referred to 22 the committee after Kelly sent this letter in 23 August 22, 2000?</p> <p>24 A. So it wasn't referred to the</p>
<p style="text-align: right;">Page 167</p> <p>1 A. Yes.</p> <p>2 Q. This is what would be referred 3 to as a charging letter from ECFMG?</p> <p>4 A. Yes.</p> <p>5 Q. Is it ECFMG's position that --</p> <p>6 A. Sorry, can I just clarify that. 7 This is a letter -- I just want to take a 8 minute to read it. Yes. Sorry, yes.</p> <p>9 Q. Yes, it is a --</p> <p>10 A. Yes, it could be considered a 11 charge letter.</p> <p>12 Q. And in the letter -- take all 13 the time that you'd like to read it -- but 14 Kelly adverts to an allegation that Akoda may 15 have recently, previously applied to ECFMG 16 using the Igberase and Charles names, correct?</p> <p>17 A. Yes.</p> <p>18 Q. And he also refers to Akoda's 19 representation -- strike that. On the second 20 page Kelly wrote, ECFMG requires an explanation 21 from you in writing within 15 days of your 22 receipt of this letter. Did ECFMG ever receive 23 that explanation?</p> <p>24 A. ECFMG received the explanation</p>	<p style="text-align: right;">Page 169</p> <p>1 committee, because on the basis of the 2 information that Kelly subsequently gathered 3 from Akoda the determination was made that 4 there wasn't enough evidence to refer it to the 5 committee because Akoda had indicated that he 6 was a cousin of Igberase's; he brought the 7 passport in and the driver's license in which 8 the ECFMG believed to be authentic, which 9 demonstrated to us at the time that he was a 10 separate person from Igberase; and that we had 11 no other evidence to refer the matter to the 12 committee.</p> <p>13 So if he had within 15 days 14 said, yes, I did that, he would have admitted 15 to doing it, and then we would have referred 16 it. We had nothing except for his explanation 17 that was consistent with what he had provided 18 previously to the residency program, 19 supplemented by the in-office visit with what 20 appeared to be the authentic identification 21 documents. So it wasn't referred to the 22 committee at that time.</p> <p>23 Q. When was Akoda's case first 24 referred to the committee aft -- I guess when</p>

## KARA CORRADO

<p>Page 170</p> <p>1 was the first time after 2000 it was referred 2 to the committee?</p> <p>3 A. So technically it was not 4 referred to the committee for a decision as an 5 information item, because when we received a 6 copy of the plea bargain in which Igberase 7 stipulated the fact that he had presented the 8 false passport to ECFMG and that he had used 9 this alias, John Nosa Akoda, that was 10 sufficient evidence then to demonstrate that 11 this person is the same person; and this person 12 Igberase already had his certificate 13 permanently revoked.</p> <p>14 So it wasn't necessary to charge 15 Akoda, which essentially would have been 16 Igberase, with irregular behavior and go 17 through the committee process, because he had 18 already been permanently barred and had his 19 certificate permanently revoked.</p> <p>20 So as we normally do when we 21 have consolidations of records, we would 22 consolidate the file, that is to say these 23 files belong together, because they belong to 24 the same person, and any annotation of</p>	<p>Page 172</p> <p>1 counsel knew about it. Our senior vice 2 president knew about it. The specialty 3 investigations committee would have known 4 about it, because they -- I would have 5 asked them to collect the documents or 6 the file, and that's part of their job 7 when we get subpoenas, so they would have 8 been aware of the request from law 9 enforcement in the case; and potentially 10 some of the executive team, if the senior 11 vice president shared that with the 12 executive team.</p> <p>13 BY MR. THRONSON:</p> <p>14 Q. How about before federal law 15 enforcement got involved, 2015, 2106 as we 16 discussed, who knew at least about Mr. Kelly's 17 suspicion or the possibility as he expressed in 18 his December 2000 memorandum, notwithstanding 19 Akoda's provision of the passport, his belief 20 that Akoda and Igberase might be the same 21 person, who knew about that from 2000 until the 22 feds got involved in 2015?</p> <p>23 MS. McENROE: Objection to form. 24 THE WITNESS: I would say Steve</p>
<p>Page 171</p> <p>1 irregular behavior that was already there would 2 carry over to Akoda. So essentially we 3 consolidated the file, revoked the certificate 4 because it was -- it should not have been 5 obtained. He was not eligible to obtain that 6 certificate because he had admitted to being 7 Igberase at that point. The update was 8 provided to the committee to let them know that 9 this action had been taken by ECFMG to revoke 10 the other certificate.</p> <p>11 Q. As I recall that was an update 12 in approximately November 2016?</p> <p>13 A. Yes.</p> <p>14 Q. So before that update in 15 November of 2016, did the members of the 16 credentials committee have any awareness of the 17 Akoda matter?</p> <p>18 A. No.</p> <p>19 Q. Did the board of trustees have 20 any awareness the Akoda matter?</p> <p>21 A. No.</p> <p>22 Q. Who knew about it?</p> <p>23 MS. McENROE: Objection to form. 24 THE WITNESS: I knew about it,</p>	<p>Page 173</p> <p>1 Seeling, who was the vice president of 2 operations would have known about that. 3 Then Virginia Kesting would have 4 been doing the administrative work on the 5 file, so by that token she may have known 6 about that conversation or been in the 7 room when they were having the 8 conversation. Other than that, I'm not 9 aware of anyone else who worked on 10 irregular behavior files that would have 11 known about it. Unless he did brainstorm 12 with Shirley Williams he might have done 13 that, but the file doesn't reflect that.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. So it appears in the December 16 2000 memorandum that Kelly wrote to Seeling, 17 he's contemplating some additional 18 investigation or some additional action that 19 ECFMG might take to gather additional evidence 20 to rule out the possibility that Akoda is 21 Igberase; is that fair to say?</p> <p>22 MS. McENROE: Objection to form. 23 THE WITNESS: I believe that 24 Mr. Kelly was trying to think about what</p>

## KARA CORRADO

<p>1 other way we could get evidence to 2 substantiate that these two people were 3 the same person.</p> <p>4 BY MR. THRONSON:</p> <p>5 Q. What other efforts after this 6 point, but before the federal investigation, 7 did ECFMG undertake in that regard; that is to 8 determine whether Igberase and Akoda are the 9 same person?</p> <p>10 A. I am not aware of any other 11 steps that we took in this investigation other 12 than it was an open investigation, such that if 13 we had gotten any future evidence that we could 14 still go back and make the allegation of 15 irregular behavior.</p> <p>16 Q. So as a representative of ECFMG, 17 you're saying that ECFMG is not aware of any 18 additional steps that it took between December 19 of 2000 and 2015, 2016 timeframe to determine 20 whether Akoda and Igberase were the same 21 person?</p> <p>22 MS. McENROE: Objection to form.</p> <p>23 THE WITNESS: Yes, that's my 24 understanding. We had -- the file was</p>	<p>Page 174</p> <p>1 physicians who are working and busy, so it 2 doesn't necessarily indicate that they are not 3 authentic. Usually when they are not 4 authentic, that's when the office will reach 5 out to us to say they are not authentic.</p> <p>6 Q. Did ECFMG call those physicians 7 who allegedly wrote the letters of 8 recommendations?</p> <p>9 A. I'm not aware that the file 10 documents that. I don't know, it's possible.</p> <p>11 Q. You haven't seen it documented 12 anywhere?</p> <p>13 A. No.</p> <p>14 Q. Why not do any additional 15 investigation from 2015 as to whether Akoda and 16 Igberase are the same person?</p> <p>17 MS. McENROE: Objection to form.</p> <p>18 BY MR. THRONSON:</p> <p>19 Q. From ECFMG's perspective, why 20 not do that?</p> <p>21 A. So the reason that we would not 22 have done it would be, at the time that we 23 didn't have any other way or venue; or had not 24 contemplated a way or venue that we could</p>
<p>1 restricted internally, it was flagged, so 2 that if anything came in it would be 3 passed along to the case managers; and I 4 believe around the 2006 time frame when 5 Akoda applied for residency, we sent his 6 -- he had submitted letters of 7 recommendation, and we sent those for 8 verification. That was a process we 9 followed in investigations of irregular 10 behavior generally as a matter of course 11 that if there was some ongoing 12 investigation, even if it was unrelated 13 to that, we'd send the letters for 14 verification, so we did do that.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. There was no response to those 17 letters, the request for verification of 18 letters of recommendation, correct?</p> <p>19 A. Correct.</p> <p>20 Q. That tended to increase the 21 index of suspicions as to whether those letters 22 are genuine?</p> <p>23 A. Generally, not. It's difficult 24 for us sometimes to get a response from</p>	<p>Page 175</p> <p>1 substantiate this evidence or allegation 2 independently.</p> <p>3 So like I said, if something 4 came in, the file was still restricted and it 5 would get referred to the group that was 6 reviewing the investigation, but there was no 7 other abnormality in the file to the extent 8 about -- there was no other accusation to say 9 that his credentials were not authentic or that 10 he didn't pass the exams, none of that was 11 alleged. So the only allegation that we had 12 would have been related to our policy about not 13 being able to retake exams that he had already 14 taken.</p> <p>15 Q. So in essence, ECFMG didn't do 16 anything else to verify that Akoda and 17 Igberase, whether Akoda and Igberase were the 18 same person -- strike that.</p> <p>19 In essence, ECFMG didn't do 20 anything else between 2000 and 2015 to 21 determine whether Akoda and Igberase were the 22 same person because from ECFMG's perspective 23 there was nothing else that could have been 24 done?</p>

## KARA CORRADO

<p>1 MS. McENROE: Objection to form.  2 THE WITNESS: So I think from  3 our perspective, there was nothing that  4 we had that would substantiate that they  5 were the same person, and we did not have  6 a way to prove it otherwise.  7 BY MR. THRONSON:  8 Q. So ECFMG's view is that there's  9 nothing in the file up till this point, 2000,  10 either in Igberase's file or Akoda's, that  11 would substantiate that Akoda and Igberase are  12 the same person?  13 I'm talking about through  14 December of 2000, there's nothing ECFMG had  15 that would substantiate that conclusion; is  16 that what you're saying?  17 MS. McENROE: Objection to form.  18 THE WITNESS: What I'm saying  19 is, while the staff who were reviewing it  20 had a suspicion that he was the same  21 person, they didn't have sufficient  22 evidence to allege irregular behavior,  23 and in weighing that in the  24 investigation, in terms of all the</p>	<p>Page 178  1 residency program presumably on his  2 merits, his own merits, and we would have  3 verified it, as we do with all residency  4 programs.  5 What his certification status  6 was, which was true at the time that we  7 verified it to them, he had a certificate  8 that was issued to him in that name, and  9 it was valid.  10 BY MR. THRONSON:  11 Q. That was information that -- the  12 certification information that ECFMG supplied,  13 that was one of the pieces of information that  14 Howard University had before when determining  15 whether to accept this person into its  16 residency program, correct?  17 MS. McENROE: Objection to form.  18 THE WITNESS: Yes. They would  19 have received a status report through the  20 regular residency application process.  21 BY MR. THRONSON:  22 Q. The same is true for the  23 Maryland Board of Physicians, in determining  24 whether to grant Igberase, Akoda a license to</p>
<p>Page 179  1 processes that he would go through, there  2 wasn't at that time anything else to do.  3 For example, he got into a  4 residency training program who presumably  5 checked his information and vetted him in  6 a way that they were supposed to. He got  7 licensed by the licensing board, so the  8 licensing board would have done its due  9 diligence on him. He would have gone  10 through all of those steps.  11 Like I said, there was no  12 accusation that he was not -- that his  13 diploma was not authentic, or that he had  14 not received his medical education. So  15 at the time, considering all of those  16 factors, there was not enough to charge  17 him with irregular behavior.  18 BY MR. THRONSON:  19 Q. He got into the residency  20 program in part by information that ECFMG  21 supplied regarding his ECFMG certification,  22 correct?  23 MS. McENROE: Objection to form.  24 THE WITNESS: So he got into the</p>	<p>Page 181  1 practice medicine it would have had before it  2 information supplied by ECFMG regarding his  3 ECFMG certification status?  4 A. Yes.  5 Q. The same is true for Prince  6 George's County Hospital?  7 A. Yes. I believe they requested a  8 verification of his certification status.  9 Q. Did ECFMG ever tell anyone  10 outside of the organization of the suspicion of  11 at least one of its staff members, perhaps  12 more, that Igberase and Akoda were the same  13 person, before the law enforcement  14 investigation?  15 A. Before the law enforcement, not  16 that I'm aware of. I don't think it would have  17 necessarily been appropriate for them to do  18 that if we didn't feel that we had evidence  19 that they were the same person, because we  20 could potentially be providing information that  21 was not substantiated that may have an impact  22 on a physician's career or on residency  23 program.  24 Q. Did ECFMG ever notify anyone</p>

## KARA CORRADO

<p style="text-align: right;">Page 182</p> <p>1 outside of the organization, before the law  2 enforcement investigation, that Jersey Shore  3 had dismissed him from their residency program?</p> <p>4 A. Not that I'm aware of.</p> <p>5 Q. Why not?</p> <p>6 A. Why didn't we tell anyone about  7 a potential suspicion?</p> <p>8 Q. Why didn't you tell anyone that  9 he had been dismissed from his residency  10 program among other things, providing --</p> <p>11 A. That kind of information, that's  12 not within our scope or responsibility to  13 report loss of residency, I assume. Well,  14 maybe not loss, but residents are dismissed  15 from their programs for a variety of reasons.  16 Unless they are a J-1, which he was not, we  17 don't get that kind of information or keep it  18 on a regular basis, and it's not in our scope  19 to report that to other organizations.</p> <p>20 Q. If this same set of facts came  21 before ECFMG today, came before your  22 department, would you handle it the same way?</p> <p>23 MS. McENROE: Objection to form;  24 calls for speculation.</p>	<p style="text-align: right;">Page 184</p> <p>1 evidence to make allegations on a number  2 of things.</p> <p>3 BY MR. THRONSON:</p> <p>4 Q. At the time when this case  5 happened in 2000, I guess when the question of  6 whether Akoda and Igberase were the same person  7 was being considered, were there other  8 allegations of irregular behavior in which  9 ECFMG affirmatively sought out evidence beyond  10 what would normally have been in an applicant's  11 file?</p> <p>12 Essentially were there  13 circumstances under which it sought out  14 evidence or made phone calls, interviews of a  15 type that it didn't do here?</p> <p>16 MS. McENROE: Objection to form.</p> <p>17 THE WITNESS: Not that I'm aware  18 of. Our investigations would follow the  19 same process or procedure; but each  20 investigation is different, each case is  21 different, so who we would reach out to  22 might change or how we reach out to them  23 might change, but the general guiding  24 principles of the investigation would be</p>
<p style="text-align: right;">Page 183</p> <p>1 THE WITNESS: If it was exactly  2 identical as this, I would have come to  3 the same conclusion. In fact, I did in  4 2016; when I looked at it again, I didn't  5 see that we had sufficient evidence to  6 make the allegation of irregular  7 behavior.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. So essentially ECFMG's position  10 is if this all happened again today, we would  11 handle it exactly the same way as we did from  12 2015?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: I don't think we  15 could say that only because the processes  16 are not the same; the application process  17 is not the same; the technology that we  18 use is not the same.</p> <p>19 So from that -- in that respect  20 I couldn't say we a hundred percent do  21 every single thing the same way, but we  22 come to the same conclusion that there  23 wasn't sufficient evidence. We have  24 cases where there's not sufficient</p>	<p style="text-align: right;">Page 185</p> <p>1 the same.</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. Today -- well, we are talking  4 about the draft, the policy and procedure on --</p> <p>5 A. Yes.</p> <p>6 Q. Exhibit 2 earlier, and if I  7 understand your testimony correctly the  8 substance -- that policy was essentially what  9 ECFMG followed between 2000 and the time that  10 this policy was drafted in 2015, even if it  11 wasn't written down before 2015?</p> <p>12 A. So just to clarify, this policy  13 would have been the published policy on  14 irregular behavior, and these would have been  15 the procedures that --</p> <p>16 Q. Right. Sorry.</p> <p>17 A. That's okay -- that we followed,  18 and the organization followed prior to 2015  19 when these were documented.</p> <p>20 Q. You mentioned a restricted file  21 earlier, and I wanted to get more clarification  22 on that. Were both Igberase's and Akoda's  23 files restricted before the federal  24 investigation began?</p>

## KARA CORRADO

<p>1 A. Yes.</p> <p>2 Q. When was Akoda's first 3 restricted?</p> <p>4 A. Akoda's file would have been 5 first restricted when McCorkle reached out to 6 us with the allegation. So it would be at the 7 start of an investigation. Part of our 8 procedure, in the system, is to restrict the 9 file when we conduct an investigation.</p> <p>10 Igberase's would be restricted 11 because there had been an investigation and a 12 finding of irregular behavior. So his would 13 stay restricted.</p> <p>14 Q. What's the purpose of 15 restricting a file?</p> <p>16 A. The restriction is really an 17 operational procedure. Such that it prevents 18 other staff in the organization from maybe 19 update information, processing applications, 20 any of that without first contacting the 21 investigative team that are doing the review of 22 it. So it serves that purpose. When we start 23 an investigation just to make sure if there's 24 any contact from that individual so we know</p>	<p>Page 186</p> <p>1 A. Yes.</p> <p>2 Q. At the bottom there's a date of 3 10/15/2014. Do you know the significance of 4 that?</p> <p>5 A. That is likely when we first 6 produced a copy of this for the Maryland Board, 7 when they requested information.</p> <p>8 Q. So there's a date on the 9 left-hand column, left most column, does that 10 refer to the date an application was first 11 restricted?</p> <p>12 A. So what this column is is a date 13 that a restriction was put on the account.</p> <p>14 Q. Then there's a reason column, 15 and it appears that in 2000 it was restricted 16 because -- well, before we get there. Sorry. 17 So column two is the reason for the 18 restriction?</p> <p>19 A. Yes.</p> <p>20 Q. The next column is the level of 21 restriction?</p> <p>22 A. Yes.</p> <p>23 Q. I see 3s and 1, 4. What do 24 those numbers mean?</p>
<p>1 about it, the people that are investigating 2 know about it.</p> <p>3 It will also serve to -- it will 4 also serve as a flag in our certification 5 verification service that when a request comes 6 in electronically the file is restricted, they 7 have to be reviewed manually. The system will 8 not automatically generate a report.</p> <p>9 We do that so we can put the 10 annotation of irregular behavior onto the 11 report before it goes out to the recipient for 12 those individuals we have already determined 13 having irregular behavior.</p> <p>14 There's a number of other 15 reasons that we use it internally just to keep 16 people from processing, but it's an operational 17 internal process, the restrictions.</p> <p>18 Q. Okay. Let's take a look at 19 Exhibit 52, please, of the Kelly deposition. 20 Can you identify this document?</p> <p>21 A. This is a printout of one of our 22 internal programs.</p> <p>23 Q. It's the applicant status 24 program?</p>	<p>Page 187</p> <p>1 A. The numbers refer to the type of 2 access that would be granted when that level of 3 restriction is placed on the account.</p> <p>4 So for example, a level 1 5 restriction is a read only. So anybody who 6 would normally have access to the file would 7 still have access to the file and can see all 8 the information, they can't make any changes to 9 it.</p> <p>10 It goes up from there. Level 2 11 is, if you have a staff role you can't see 12 anything, but the manager -- you can read only, 13 but the manager would have rights if the 14 manager of the team wanted to do something.</p> <p>15 It goes up from there. So level 16 3 and 4 will prevent internal staff, other than 17 the investigation team, from being able to 18 process anything in the record and from seeing 19 most of the information in the record.</p> <p>20 Q. Why would you want to prevent 21 staff from seeing the information in the 22 record?</p> <p>23 A. If we're doing an investigation, 24 we don't want staff inadvertently providing</p>

## KARA CORRADO

<p>1 information to the individual, in certain  2 cases, not in all cases, that might jeopardize  3 the investigation. Like if the person called  4 into our call center, if the account is  5 restricted, the phone representative will  6 contact special investigations who will either  7 take the call or advise them on how they can  8 respond appropriately.</p> <p>9 Q. Did Igberase, Akoda -- strike  10 that. Did Akoda have any in-person contact  11 with anyone working at ECFMG other than, I  12 suppose, the occasions on which he took the  13 examination and his meeting with William Kelly  14 on September 27, 2000?</p> <p>15 A. None that I'm aware of. His  16 file only documents the office visit that he  17 made with Mr. Kelly.</p> <p>18 Q. Did you have any awareness of  19 any telephone contact that he had with anyone  20 at ECFMG at any time?</p> <p>21 A. I'm not aware to answer the  22 question specifically, because we don't  23 catalogue every telephone call in our system.  24 So it's entirely possible that he called to ask</p>	<p>Page 190</p> <p>1 the system.  2 The release date is when we  3 release the restriction to either put a new  4 restriction on or to provide some service that  5 we've determined can be provided, despite the  6 fact the person is restricted.  7 So you would generally see that  8 the dates coincide with when it was  9 re-released, and then it would be re-restricted  10 again would generally be related to some  11 service or some point of contact.</p> <p>12 Q. Then there's a column -- well, I  13 guess, who would make the determination as to  14 whether a restriction should be released; who  15 made that determination over this time period?</p> <p>16 A. Bill Kelly would have made the  17 determination as the individual who had  18 oversight for the areas of investigation. I  19 mean would have directed, you know, Ms. Kesting  20 to go ahead and process whatever request had  21 come in at that time.</p> <p>22 Q. Do the comments refer to the  23 reason that an applicant is restricted?</p> <p>24 A. Generally, yes. That's a note</p>
<p>1 questions about getting registered or anything  2 like that.</p> <p>3 Q. Did he know anyone personally at  4 ECFMG either as a friend or relative?</p> <p>5 MS. McENROE: Objection to form.</p> <p>6 THE WITNESS: Not that I'm aware  7 of.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. Did he have any business  10 relationship with ECFMG or anyone at ECFMG?</p> <p>11 A. Not that I'm aware of.</p> <p>12 Q. Turning back to Exhibit 52, then  13 there's a column called release dates. What  14 does that refer to?</p> <p>15 A. That is when the restriction is  16 released. So the restrictions -- just to  17 clarify something about the restrictions and  18 the reasons and the levels. There's not  19 necessarily a specific meaning to which reason  20 the person chose or the level between 3 and 4  21 in terms of what the restriction is.</p> <p>22 So it's not as if the reasons,  23 invested the investigation into a different  24 area. It's just a feature that's built into</p>	<p>Page 191</p> <p>1 that our team will put in there that other  2 staff can see, and that is also sometimes a  3 note for ourselves so we know which  4 investigation it is.</p> <p>5 Q. So it appears in essence if you  6 compare the restrictions date the release date,  7 the application was restricted continuously  8 from August 17, 2000, through September 13,  9 2011, right?</p> <p>10 A. Yes.</p> <p>11 Q. Do you know why it was  12 repeatedly released and then re-restricted?</p> <p>13 A. Yes. Initially it looks like  14 Shirley had restricted the file then when  15 Mr. Kelly, when the case, I think, was bumped  16 up to him, he re-restricted it, put his own  17 notation in. So he would have released her  18 restriction, and put his own on there, because  19 the case would go to him.</p> <p>20 Then these releases by Virginia  21 Kesting, these, I believe, coincide with  22 requests from organizations or from Dr. Akoda  23 to verify his ECFMG certification status.</p> <p>24 Q. Was the information that's</p>

## KARA CORRADO

<p style="text-align: right;">Page 194</p> <p>1 reflected in the comments, that ECFMG's belief 2 that the applicant may have a previous ID 3 Number ever communicated to anyone outside 4 organization -- sorry, let me ask that 5 differently.</p> <p>6 Was any of the information that 7 ECFMG provided annotated to reflect that 8 comment of the information in the comments in 9 Exhibit 52?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: No, because that 12 wouldn't have been consistent with our 13 process or procedure. A determination of 14 irregular behavior hadn't been made, so 15 we wouldn't put an annotation on the 16 report.</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. What's the difference between a 19 level 3 and a level 4?</p> <p>20 A. I'm not sure, but it's 21 negligible. It has to do with, like I said, 22 operationally who has access to view the 23 information in the system.</p> <p>24 So it has to do with roles.</p>	<p style="text-align: right;">Page 196</p> <p>1 It's possible that they forgot to re-restrict 2 it just in terms of the process.</p> <p>3 Q. Between December of 2000 and the 4 commencement of the federal criminal 5 investigation, 2015, 2016, did ECFMG receive 6 any additional information that would tend to 7 dispel the suspicion that Akoda and Igberase 8 are not the same person?</p> <p>9 A. Before? You said, before?</p> <p>10 Q. Yeah, between December 2000 and 11 2015, did ECFMG receive any exculpatory 12 information regarding Akoda or Igberase as to 13 this question whether they were the same 14 person?</p> <p>15 MS. McENROE: Objection to form.</p> <p>16 THE WITNESS: So the information 17 that we had during that time period, was 18 the same information that we had when we 19 made the review initially in 2000.</p> <p>20 BY MR. THRONSON:</p> <p>21 Q. Okay. What other information 22 would ECFMG reasonably have expected to come in 23 between 2000 and 2015 regarding this question 24 of whether Igberase and Akoda were the same</p>
<p style="text-align: right;">Page 195</p> <p>1 Three and 4, there are only certain people who 2 have the role 4. If you have a role in the 3 system, based on the level you can still see 4 the information if you have that level. So it 5 would have just been a smaller group of people 6 who had access to see; but in terms of the 7 prevention of services it would have been the 8 same between the two restrictions.</p> <p>9 Q. It looks like the application -- 10 the applicant file of Akoda was released on 11 September 13, 2011, and then it was not 12 re-restricted after that time. Is that your 13 understanding?</p> <p>14 A. I believe it was re-restricted 15 at some point after that time.</p> <p>16 Q. Okay. Well, at least -- so the 17 date of this document, Kelly Exhibit --</p> <p>18 A. Yes, 2014.</p> <p>19 Q. Right, so at least between 2011 20 and 2014 it was not re-restricted?</p> <p>21 A. Yes. That's what it appears on 22 here, right.</p> <p>23 Q. Do you know why?</p> <p>24 A. I don't. I don't know why.</p>	<p style="text-align: right;">Page 197</p> <p>1 person?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: What other 4 information would we have expected?</p> <p>5 MR. THRONSON: Yeah.</p> <p>6 THE WITNESS: I don't know. It 7 could be anything.</p> <p>8 BY MR. THRONSON:</p> <p>9 Q. Is there any organization that 10 is better situated than ECFMG to determine 11 whether the applicant, who identified himself 12 as Igberase Charles, and the applicant who 13 identified himself as Akoda, were in fact the 14 same applicant?</p> <p>15 MS. McENROE: Objection to form.</p> <p>16 THE WITNESS: So the 17 verification of the identity of someone 18 who is showing up at the residency 19 program would be on the residency program 20 or the hospital, would be my assumption.</p> <p>21 If they are hiring the 22 individual, they're not relying on ECFMG 23 to say that we identified -- that they 24 don't have to do their own review of who</p>

## KARA CORRADO

<p style="text-align: right;">Page 198</p> <p>1 that person; is that what you're asking?</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. Who is better situated? Are you</p> <p>4 saying the hospitals are in a better</p> <p>5 position to answer -- strike that.</p> <p>6 Were the hospitals in this case</p> <p>7 in a better position to answer whether Igberase</p> <p>8 and Akoda are the same person; are you</p> <p>9 contending they were?</p> <p>10 MS. McENROE: Objection to form.</p> <p>11 THE WITNESS: What I'm saying</p> <p>12 is, each organization has its own process</p> <p>13 to verify identities or certification of</p> <p>14 identities.</p> <p>15 We would not -- those processes</p> <p>16 would differ. We are not hiring the</p> <p>17 person so whatever the requirements would</p> <p>18 be for identity, for VISA status, for any</p> <p>19 of those things, it wouldn't be</p> <p>20 appropriate for us to check those because</p> <p>21 it's not within our scope of the</p> <p>22 certification program.</p> <p>23 For example, other than the J-1</p> <p>24 visas we sponsor, we don't confirm to</p>	<p style="text-align: right;">Page 200</p> <p>1 word inappropriate, but it wasn't part of</p> <p>2 our process to go further or to see if</p> <p>3 some -- I don't know what other</p> <p>4 organization we could have gone to at the</p> <p>5 time to see if the two people were the</p> <p>6 same; if that's what you are asking.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. Could you have consulted with</p> <p>9 someone from the Nigeria Consulate to determine</p> <p>10 if the passport was authentic from their</p> <p>11 perspective?</p> <p>12 MS. McENROE: Objection to form.</p> <p>13 THE WITNESS: I suppose we could</p> <p>14 have, but that wasn't part of our process</p> <p>15 at the time.</p> <p>16 BY MR. THRONSON:</p> <p>17 Q. Could you have called any of the</p> <p>18 references that Akoda gave to determine whether</p> <p>19 the letters of recommendation were authentic?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 THE WITNESS: We could have, and</p> <p>22 we may have. I just don't have any</p> <p>23 documentation in the file that we made</p> <p>24 the phone calls.</p>
<p style="text-align: right;">Page 199</p> <p>1 residency programs that those individuals</p> <p>2 have the appropriate visas to be in the</p> <p>3 United States.</p> <p>4 It is the responsibility of the</p> <p>5 individual and then the organization</p> <p>6 that's hiring them to do that kind of</p> <p>7 identification and review of the</p> <p>8 individual.</p> <p>9 I don't know that one is in a</p> <p>10 better position than the other. It's</p> <p>11 just that each organization has different</p> <p>12 processes and ways to certify identities</p> <p>13 and records.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. So is it your contention, that</p> <p>16 it would have been inappropriate for ECFMG to</p> <p>17 do further investigation into this question of</p> <p>18 identity, to determine whether Igberase and</p> <p>19 Akoda are the same person?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 MR. THRONSON: Are you saying</p> <p>22 that would have been inappropriate?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: I wouldn't use the</p>	<p style="text-align: right;">Page 201</p> <p>1 BY MR. THRONSON:</p> <p>2 Q. Obviously you could have</p> <p>3 compared the photos between the two</p> <p>4 applications to see if they resemble each</p> <p>5 other?</p> <p>6 MS. McENROE: Objection to form.</p> <p>7 THE WITNESS: Yes, we could. We</p> <p>8 did when we reviewed the file. We would</p> <p>9 have looked at both photographs when we</p> <p>10 reviewed the file in 2000 in the</p> <p>11 investigation, but again we would -- the</p> <p>12 photos could be -- they could look like</p> <p>13 each other, but I look like my cousin,</p> <p>14 right, so they are not definitive in and</p> <p>15 of themselves to say they are the same</p> <p>16 person.</p> <p>17 We are not expert in being able</p> <p>18 to do that between two photographs.</p> <p>19 BY MR. THRONSON:</p> <p>20 Q. So you're saying that, ECFMG did</p> <p>21 look through both applications; the</p> <p>22 applications that Igberase Charles submitted</p> <p>23 and the applications that Akoda submitted?</p> <p>24 A. In 2000 --</p>

## KARA CORRADO

<p style="text-align: right;">Page 202</p> <p>1 Q. Yes.</p> <p>2 A. Yes, that would have been done.</p> <p>3 We would have looked at both files.</p> <p>4 Q. Is that inquiry documented</p> <p>5 anywhere; that step, did anyone write down, hey</p> <p>6 I that; this is the result?</p> <p>7 A. No. It would have been in the</p> <p>8 hard copy file if it was written down.</p> <p>9 Q. Have you seen any document like</p> <p>10 that, that would reflect that those two</p> <p>11 documents were compared?</p> <p>12 A. No.</p> <p>13 Q. That would have been normal</p> <p>14 procedure at the time to do that, to compare</p> <p>15 two files if there was an allegation that ECFMG</p> <p>16 received that two applicants might, in fact, be</p> <p>17 the same person?</p> <p>18 A. Oh, yes.</p> <p>19 Q. What else would have been</p> <p>20 standard procedure at that time for ECFMG to do</p> <p>21 if it were presented with such an allegation?</p> <p>22 A. You mean the investigation</p> <p>23 steps; like what would we do to investigate if</p> <p>24 somebody potentially was using a different</p>	<p style="text-align: right;">Page 204</p> <p>1 Q. Did you ever reach out to the</p> <p>2 alleged cousin after Akoda came into the</p> <p>3 office?</p> <p>4 A. You mean Igberase?</p> <p>5 Q. Yeah, and describe the</p> <p>6 situation, say we have this allegation, Akoda</p> <p>7 showed up, he says you're his cousin, and used</p> <p>8 his social security number, is that true?</p> <p>9 A. I don't believe that we did</p> <p>10 that.</p> <p>11 Q. Why not?</p> <p>12 A. I don't know.</p> <p>13 Q. So essentially if I understand</p> <p>14 it, ECFMG's reason for believing that it</p> <p>15 compared the two files of Akoda and Igberase at</p> <p>16 the time in 2000, is that that was the standard</p> <p>17 practice?</p> <p>18 A. In investigations like that,</p> <p>19 yes.</p> <p>20 Q. But there is no direct evidence</p> <p>21 that you are aware of that that was, in fact,</p> <p>22 performed?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: Correct.</p>
<p style="text-align: right;">Page 203</p> <p>1 identity?</p> <p>2 Q. Right.</p> <p>3 A. We would look at the information</p> <p>4 that was given to us; so where did the</p> <p>5 information come from, request follow-up</p> <p>6 information if possible from that source</p> <p>7 depending on who the source was. Then we would</p> <p>8 review both files to see if there was any</p> <p>9 evidence between the two files that they were</p> <p>10 the same person; which is what happened with</p> <p>11 Igberase two or three times.</p> <p>12 We did that same review and you</p> <p>13 saw the information crossed, and then we wrote</p> <p>14 to him, and he responded, yes, I did it; that</p> <p>15 was me. So those are generally the steps we</p> <p>16 would go through.</p> <p>17 In Akoda's case, we did that.</p> <p>18 And he said, it's not me; and it's my cousin --</p> <p>19 right -- and I'm in the office, and here's my</p> <p>20 passport that's demonstrating I'm a different</p> <p>21 person; and yes, I used his social security</p> <p>22 number but it's not me.</p> <p>23 So we follow the same steps in</p> <p>24 the process.</p>	<p style="text-align: right;">Page 205</p> <p>1 MS. McENROE: We've been going</p> <p>2 for about an hour an 45 minutes.</p> <p>3 MR. THRONSON: Okay. Yes, let's</p> <p>4 take a break.</p> <p>5 - - -</p> <p>6 (Whereupon there was a brief</p> <p>7 recess in the proceeding.)</p> <p>8 - - -</p> <p>9 MR. THRONSON: Back on.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. Ms. Corrado, I'd like you to</p> <p>12 take a look at Exhibit 47 from the Kelly</p> <p>13 deposition, please.</p> <p>14 A. Yes. Okay. I have it.</p> <p>15 Q. Have you seen this document</p> <p>16 before?</p> <p>17 A. Yes.</p> <p>18 Q. What is it?</p> <p>19 A. This is a summary of information</p> <p>20 on Igberase Akoda prepared by ECFMG staff.</p> <p>21 Q. When was that prepared?</p> <p>22 A. This would have been prepared in</p> <p>23 2014, I believe when the Maryland Board reached</p> <p>24 out to us for information.</p>

## KARA CORRADO

<p>1 Q. Who prepared it?</p> <p>2 A. I believe Virginia Kesting would 3 have prepared it.</p> <p>4 Q. Did you review it around that 5 time, 2014?</p> <p>6 A. I did not review it in 2014.</p> <p>7 Q. When did you first see it?</p> <p>8 A. I reviewed it in 2015 or 2016, 9 sometimes in that timeframe when the federal 10 authorities reached out to us.</p> <p>11 Q. Why was it generated?</p> <p>12 A. It was generated to assist with 13 the review of the files at that time.</p> <p>14 Q. The review of the files that 15 ECFMG was going to provide to Maryland Board of 16 Physicians?</p> <p>17 A. Yes.</p> <p>18 Q. Was the issue of whether 19 Igberase and Akoda were the same person, was 20 that issue part of the Maryland Board of 21 Physicians investigation?</p> <p>22 MS. McENROE: Object to form.</p> <p>23 THE WITNESS: I don't recall if 24 they said in their message to us what</p>	Page 206	<p>1 what the information was as it pertained to 2 both individuals since the request came in from 3 Maryland for the file.</p> <p>4 That's generally part of our 5 procedure. If we get a request from someone we 6 take a look at the file to see what information 7 we have about it; if we flagged it in any way.</p> <p>8 Q. Did ECFMG communicate to 9 Maryland Board of Physicians it's suspicion 10 that Igberase and Akoda might be the same 11 person?</p> <p>12 A. I don't think so.</p> <p>13 Q. Is ECFMG responsible in any way 14 for confirming that an applicant is who she or 15 he says he or she is?</p> <p>16 MS. McENROE: Objection to form.</p> <p>17 THE WITNESS: So as part of the 18 application process, we have an identity 19 section for the individual to certify to 20 their identity, which the process has 21 evolved over time.</p> <p>22 BY MR. THRONSON:</p> <p>23 Q. What has it evolved into?</p> <p>24 A. The process is, as I was</p>	Page 208
<p>1 they were investigating.</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. Did ECFMG provide any 4 information to the Maryland Board of Physicians 5 -- strike that. Did ECFMG provide files of 6 both Igberase, also known as Charles, and John 7 Nosa Akoda to the Maryland Board of Physicians?</p> <p>8 A. Yes. Whatever they requested we 9 would have provided to them.</p> <p>10 Q. Did ECFMG provide this document 11 to the Maryland Board of Physicians, Exhibit 12 47?</p> <p>13 A. I don't think so.</p> <p>14 Q. Did ECFMG provide this document 15 to anyone outside of the organization?</p> <p>16 A. Other than in production for 17 this matter, not that I'm aware of. It's an 18 internal document.</p> <p>19 Q. Who was it provided to at ECFMG? 20 After staff, you believe Ms. Kesting for 21 example generated...</p> <p>22 A. Yes, I believe that Ms. Kesting 23 generated this when the request came in so that 24 Mr. Kelly could review the matter again and</p>	Page 207	<p>1 describing earlier, we originally had a notary 2 or a medical school official certify to the 3 identity and to the information on the 4 application.</p> <p>5 That has since evolved where we 6 are still using a notary, but we have a notary 7 vendor and we require the individual to submit 8 a copy of their passport to us as part of the 9 their initial application to ECFMG.</p> <p>10 Q. You've reviewed the applications 11 that Igberase and Charles submitted to the 12 ECFMG?</p> <p>13 A. Yes.</p> <p>14 Q. You've seen photographs that 15 were submitted in connection with those 16 applications?</p> <p>17 A. Yes.</p> <p>18 Q. And obviously you've also seen 19 the photographs that were submitted to 20 accompany Akoda's applications, correct?</p> <p>21 A. Yes.</p> <p>22 Q. Is it ECFMG's position that any 23 of those photographs are photographs of -- 24 strike that.</p>	Page 209

## KARA CORRADO

<p>1            Does ECFMG deny that the  2    photographs of Igberase and Charles are  3    photographs of the same person who identified  4    himself as Akoda?</p> <p>5            MS. McENROE: Objection to form.</p> <p>6            THE WITNESS: Based on the  7    information that we have now, that he  8    admitted to using the John Nosa Akoda  9    name, our understanding is that he  10   submitted both of those applications and  11   submitted both of those photographs.</p> <p>12          We don't have any way of  13   verifying whether it's him in the  14   photographs, but he submitted them on  15   behalf of those applications.</p> <p>16 BY MR. THRONSON:</p> <p>17 Q.       Did the individual who  18 identified himself as Igberase and Charles take  19 all of the ECFMG examinations that he  20 represented that he sat for?</p> <p>21 MS. McENROE: Objection to form.</p> <p>22 THE WITNESS: So yes, he was  23 certified. So the individual took the  24 exams and passed them.</p>	<p>Page 210</p> <p>1 individual you would get a permit, and that  2 permit which was pink in some years, had a  3 photograph of you on it and your information.</p> <p>4            It was part of the application  5 that you filled out when you sent to ECFMG, you  6 were required to fill that out. So once you  7 were registered, the permit would be mailed to  8 you so that you would take it to the center and  9 appear at the center with the permit; and it  10 was a very strictly followed rule that you had  11 to have the permit issued by ECFMG in order to  12 take the exam.</p> <p>13          However, because it's high  14 stakes and it's only two times a year, if the  15 person lost the permit or forgot the permit  16 they would generally, the staff at the test  17 center, would call into ECFMG offices and  18 advise the person didn't have it, they would  19 check to see if the person was registered, and  20 then they would tell them they could use a  21 driver's license or another form of  22 identification to admit the individual to the  23 center.</p> <p>24 Q.       In 1996 and 1997 when Akoda took</p>
<p>1 BY MR. THRONSON:</p> <p>2 Q.       You're certain also that Akoda  3 took the exams and passed them too; the  4 organization is certain that, for example, no  5 one else took the exams in Akoda's place?</p> <p>6 MS. McENROE: Objection to form.</p> <p>7 THE WITNESS: Based on the  8 information that we had, that the test  9 center would verify identity, we would  10 rely on that. So if there was no report  11 that he wasn't the person that showed up  12 at the test center...</p> <p>13 BY MR. THRONSON:</p> <p>14 Q.       There was a reference in one of  15 the documents to a ECFMG pink card, what is  16 that?</p> <p>17 A.       A pink card?</p> <p>18 Q.       A pink card. There was an  19 irregularity report -- we can dig it out --  20 that Igberase didn't have a pink card so he  21 supplied a Maryland driver's license instead?</p> <p>22 A.       Yes. So when the exams were  23 given in paper and pencil, they were given only  24 two times a year, when ECFMG registered an</p>	<p>Page 211</p> <p>Page 213</p> <p>1 ECFMG exams, did ECFMG operate the test centers  2 where you took the exams?</p> <p>3 A.       I would have to look at the  4 exams he took. Specifically I can't remember  5 if they were USMLE examinations or if they were  6 the FMGFM examinations.</p> <p>7 Q.       USMLE was step 3 at that time,  8 no?</p> <p>9 A.       So USMLE had at the time 3  10 exams, which was a basic science Step 1;  11 clinical knowledge which is Step 2; and  12 clinical skills -- I'm sorry, they didn't have  13 clinical skills at that time.</p> <p>14          They had Step 3 which was an  15 exam that you would take in order to fulfil one  16 of the requirements for licensure in the state.  17 Generally you would take it after you got into  18 a residency program.</p> <p>19 Q.       Were there any exams in '96 and  20 '97 that ECFMG administered?</p> <p>21 A.       I don't believe so. I'm not sure  22 of the exact date when we stopped administering  23 the FMGFM exam.</p> <p>24 Q.       Who was responsible for</p>

## KARA CORRADO

<p>1 verifying a test taker's identity at the test  2 centers in '96 and '97?  3     A. The individuals at the test  4 center.  5     Q. Were those under contract with  6 ECFMG?  7     A. That I don't know. I'm not sure  8 how the process worked for those test centers.  9     Q. How many employees does ECFMG  10 have?  11    A. Roughly I think a thousand,  12 somewhere around there. A good portion of  13 them, more than half are part-time standardized  14 patients that work in the Step 2 CF clinical  15 skills examination.  16    Q. Do you know how many employees  17 ECFMG has apart from those part-time patients?  18    A. So full-time ECFMG employees?  19    Q. Right.  20    A. I believe around, I believe,  21 it's around 200; somewhere around 200, 300.  22    Q. Is it fair to say that fees  23 submitted by applicants to take ECFMG  24 examinations or other fees associated with</p>	<p>Page 214</p> <p>1 information supplied by ECFMG when making it's  2 decisions regarding the medical practice of  3 Akoda?  4       MS. McENROE: Objection to form.  5       THE WITNESS: So, yes, those  6 organizations would have, I assume, taken  7 into account the status report we sent to  8 them as part of making their decision.  9 BY MR. THRONSON:  10      Q. So you don't disagree with my  11 statement? You agree they would have taken  12 that information into account?  13       MS. McENROE: Objection to form.  14       THE WITNESS: Yes.  15 BY MR. THRONSON:  16      Q. I want to ask about this  17 document here.  18       - - -  19       (Whereupon the document was  20 marked, for identification purposes, as  21 Exhibit Number CORRADO-5.)  22       - - -  23      Q. Ms. Corrado, I'm handing you the  24 original that corresponds to a copy that's</p>
<p>Page 215</p> <p>1 their applications is a source of revenue for  2 ECFMG?  3       MS. McENROE: Objection to form.  4       THE WITNESS: Yes.  5 BY MR. THRONSON:  6      Q. That also applies -- does ECFMG  7 charge a fee to residency programs to submit an  8 ECFMG report to the residency program for an  9 applicant?  10     A. No, there is no fee for the  11 report to be sent to the residency program.  12     Q. There are fees for ERAS tokens?  13     A. Yes.  14     Q. Do you charge fees to medical  15 boards to obtain information?  16     A. There's a fee, yes, whether it's  17 the board requesting it or the physician  18 requesting it, there's a fee for the report to  19 go to the board.  20     Q. Do you have any reason -- does  21 ECFMG have any reason to disagree that the  22 Maryland Board of Physicians, Howard  23 University, and Prince George's University  24 Hospital relied, at least in part, on</p>	<p>Page 217</p> <p>1 being marked as Exhibit 5 to the deposition,  2 and I'm wondering if you can identify it for  3 me?  4       I'll represent to you that it  5 was a document that we reviewed in looking at  6 the -- the material in the original file of  7 Akoda before we took the deposition today.  8       Can you identify what it is?  9     A. Yes. This appears to be a copy  10 of the University of Benin Diploma for  11 Dr. Akoda; a copy of the certificate of full  12 registration for Dr. Akoda; a correspondence  13 from ECFMG from 1996 to Dr. Akoda; and a  14 statement of account which was generated by  15 ECFMG for Dr. Akoda; and it looks like another  16 copy of the certificate of full registration  17 for Dr. Akoda.  18     Q. Is the first page of Exhibit 5,  19 the original, is that the original diploma from  20 the institution?  21     A. No, I don't believe so.  22     Q. Did ECFMG ever receive an  23 original copy of the diploma from the  24 University of Benin that was allegedly issued</p>

## KARA CORRADO

<p>1 to Akoda?</p> <p>2 MS. McENROE: Objection to form.</p> <p>3 THE WITNESS: No. We required</p> <p>4 applicants to send us copies. In fact,</p> <p>5 we discourage them from sending us the</p> <p>6 originals so that they wouldn't lose them</p> <p>7 in the mail. We would ask for two</p> <p>8 photocopies of the degree.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. Is that the copy that ECFMG</p> <p>11 claims it sent to the University of Benin to be</p> <p>12 verified?</p> <p>13 MS. McENROE: Objection to form.</p> <p>14 THE WITNESS: I would have to</p> <p>15 look at the diploma that we sent, that</p> <p>16 was attached to the verification.</p> <p>17 I believe he applied. He had an</p> <p>18 application prior to this, so there may</p> <p>19 have been another copy of the same</p> <p>20 document that he submitted at that time</p> <p>21 that could have been the one that was</p> <p>22 sent. If it wasn't, this would have been</p> <p>23 the one that was sent. I assume that if</p> <p>24 there's two copies of them, they're the</p>	<p>Page 218</p> <p>1 THE WITNESS: Not that I can</p> <p>2 recall.</p> <p>3 BY MR. THRONSON:</p> <p>4 Q. I know you have not reviewed the</p> <p>5 deposition of Bill Kelly, but I wanted to just</p> <p>6 ask you about a couple aspects of his</p> <p>7 testimony.</p> <p>8 There is a transcript in the</p> <p>9 front of that binder, Ms. McEnroe.</p> <p>10 MS. McENROE: What page are you</p> <p>11 reading from?</p> <p>12 MR. THRONSON: The first is page</p> <p>13 157 starting on line 21.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. So this is the deposition of</p> <p>16 Mr. Kelly on August 20, 2019. Mr. Vettori</p> <p>17 asked him, and it continues on to 158, so if he</p> <p>18 had been referred to the --</p> <p>19 MS. McENROE: Hold on. Which</p> <p>20 line?</p> <p>21 MR. THRONSON: 21.</p> <p>22 BY MR. THRONSON:</p> <p>23 Q. "So if he had been referred to</p> <p>24 the credentials committee would he have been</p>
<p>1 same.</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. So at no point in evaluating</p> <p>4 Akoda's credentials and qualifications did</p> <p>5 ECFMG receive an original or a certified copy</p> <p>6 of his diploma or registration certificate,</p> <p>7 correct?</p> <p>8 MS. McENROE: Objection to form.</p> <p>9 THE WITNESS: That's correct.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. Is that the practice today?</p> <p>12 A. To require a photocopy of a</p> <p>13 diploma?</p> <p>14 Q. Yes, to not work with original</p> <p>15 or certified copies?</p> <p>16 A. Yes. So we require a photocopy</p> <p>17 because we will source verify it with the</p> <p>18 institution. We don't require it to be a</p> <p>19 certified copy because we're going to go to the</p> <p>20 primary source and verify it.</p> <p>21 Q. Has ECFMG ever confronted a</p> <p>22 situation in which an institution mistakenly</p> <p>23 source verified a diploma as being genuine?</p> <p>24 MS. McENROE: Objection to form.</p>	<p>Page 219</p> <p>1 charged with irregular behavior for using</p> <p>2 someone else's social security number?</p> <p>3 MS. McENROE: Objection to form.</p> <p>4 ANSWER: The irregular behavior</p> <p>5 he would have been charged with would be</p> <p>6 providing false information to ECFMG on an</p> <p>7 application among other things?"</p> <p>8 So do you agree with that</p> <p>9 testimony?</p> <p>10 A. Yes, it would have been</p> <p>11 providing false information to an application</p> <p>12 to ECFMG among other things.</p> <p>13 Q. You believe that would have</p> <p>14 occurred had he been referred based on the</p> <p>15 information that ECFMG had in 2000?</p> <p>16 MS. McENROE: Objection to form.</p> <p>17 THE WITNESS: I'm sorry. Are</p> <p>18 you asking me if that would have been the</p> <p>19 charge if we sent a letter to him?</p> <p>20 MR. THRONSON: Right. I guess.</p> <p>21 I'll tell you what, I'll withdraw that</p> <p>22 question.</p> <p>23 BY MR. THRONSON:</p> <p>24 Q. Are you aware if the document in</p>

## KARA CORRADO

<p>1 Exhibit 5 --</p> <p>2 MS. McENROE: Can I put the</p> <p>3 transcript away?</p> <p>4 MR. THRONSON: Sorry. There's</p> <p>5 one more page I'll ask about first. Page</p> <p>6 185 to 86.</p> <p>7 MS. McENROE: 185 to 186?</p> <p>8 MR. THRONSON: Yes.</p> <p>9 BY MR. THRONSON:</p> <p>10 Q. On line 15 Mr. Vettori asked --</p> <p>11 MR. VETTORI: I think it's</p> <p>12 Mr. Ceryes.</p> <p>13 BY MR. THRONSON:</p> <p>14 Q. Ceryes, okay.</p> <p>15 "And would you agree that ECFMG</p> <p>16 plays an important role in public health by</p> <p>17 verifying that physicians who come here to</p> <p>18 practice medicine have the necessary and</p> <p>19 requisite credentials to do so?</p> <p>20 MS. McENROE: Objection to form.</p> <p>21 ANSWER: That is part of it, to</p> <p>22 protect the American public."</p> <p>23 Do you agree with that statement</p> <p>24 by Mr. Kelly?</p>	<p>Page 222</p> <p>1 Q. So if you were to break down the</p> <p>2 question Mr. Ceryes asked on 185, 22 to 186, 1;</p> <p>3 which part of that do you not agree with? Are</p> <p>4 there certain words you can X out of it to make</p> <p>5 it a statement you agree with?</p> <p>6 MS. McENROE: Objection to form.</p> <p>7 The witness just answered that question.</p> <p>8 THE WITNESS: I wouldn't be --</p> <p>9 it's not a sentence I would pull words</p> <p>10 out of. I would rephrase it as I just</p> <p>11 mentioned.</p> <p>12 BY MR. THRONSON:</p> <p>13 Q. If you took out the words</p> <p>14 "identity or" is it a sentence -- a question</p> <p>15 you would agree with?</p> <p>16 MS. McENROE: Objection to form;</p> <p>17 asked and answered.</p> <p>18 THE WITNESS: I don't think in</p> <p>19 the way that it's presented here, I would</p> <p>20 agree with it even with the word taken</p> <p>21 out. I would rephrase it.</p> <p>22 BY MR. THRONSON:</p> <p>23 Q. Akoda's certification was</p> <p>24 revoked in approximately December of 2016?</p>
<p>1 A. Yes.</p> <p>2 Q. Then Mr. Ceryes continued:</p> <p>3 "In another role that ECFMG</p> <p>4 plays is detecting or endeavoring to detect</p> <p>5 when an individual lacks the -- well, when an</p> <p>6 individual has not been honest in presenting</p> <p>7 their identity or credentials.</p> <p>8 Objection to form.</p> <p>9 MR. CERYES: Fair."</p> <p>10 Then Mr. Kelly responded "yes."</p> <p>11 Do you agree with Mr. Kelly's statement?</p> <p>12 A. I'm not sure that I would agree</p> <p>13 with this statement as it's phrased.</p> <p>14 ECFMG's review of applicants</p> <p>15 that attempt to subvert its policies and</p> <p>16 procedures is an important role that it has,</p> <p>17 but specifically that we have a role to detect</p> <p>18 whether an individual is or isn't that</p> <p>19 individual isn't part of our certification</p> <p>20 program.</p> <p>21 So our certificate program is</p> <p>22 about eligibility for the exams and for</p> <p>23 credentials. I don't know that I would agree</p> <p>24 with it as it's phrased this way.</p>	<p>Page 223</p> <p>1 A. Yes.</p> <p>2 Q. Then his case was brought before</p> <p>3 the USMLE committee on individual review?</p> <p>4 A. I believe so, yes.</p> <p>5 Q. That committee made a</p> <p>6 determination on his case; is that right?</p> <p>7 A. That is my understanding.</p> <p>8 Q. What's your understanding of the</p> <p>9 decision that they made?</p> <p>10 A. I don't know what their decision</p> <p>11 was. I'd have to look at the letter that they</p> <p>12 would have sent to him and what the specifics</p> <p>13 of their findings were.</p> <p>14 Q. What's the relationship between</p> <p>15 that committee and the creds committee of</p> <p>16 ECFMG?</p> <p>17 A. The committee for individualized</p> <p>18 review is a committee that is comprised of</p> <p>19 members representing the USMLE program.</p> <p>20 The USMLE program which is</p> <p>21 owned, and the exams are administered by, the</p> <p>22 National Board of Medical Examiners and the</p> <p>23 Federation of State Medical Boards. So they</p> <p>24 have representatives from their board of</p>

## KARA CORRADO

<p>1 trustees, that are on that committee to review  2 allegations of irregular behavior; and they  3 also have members of ECFMG's board on that  4 committee as well to review irregular behavior.  5         If there is an irregular  6 behavior that relates to USMLE policies or  7 something in their jurisdiction, they will take  8 an independent action to review and make a  9 determination of irregular behavior.</p> <p>10         So if we have information and  11 the allegation is related to an USMLE  12 application, then we will refer the case to  13 them for their review as well, so they can  14 determine whether they want to take an action  15 against the individual from their perspective  16 in accordance with their policies and  17 procedures.</p> <p>18         Q.     Is the committee on individual  19 review and the ECFMG creds committee, are those  20 separate and independent --</p> <p>21         A.     Yes.</p> <p>22         Q.     So it's not like one has a  23 superior position over the other?</p> <p>24         A.     That's correct. They are</p>	<p>Page 226</p> <p>1 on his USMLE transcript that he engaged in  2 irregular behavior. He is barred for a minimum  3 of 5 years from taking USMLE examinations, and  4 after five years they will only consider  5 letting him take the exam if a state medical  6 board sponsors him or if they request on his  7 behalf that they want him to take the  8 examination, and that time period starts as of  9 12/12/2017.</p> <p>10         Q.     This individual has had his  11 ECFMG certificate permanently revoked, right?</p> <p>12         A.     That's correct.</p> <p>13         Q.     And he's barred from future  14 ECFMG examinations?</p> <p>15         A.     That's correct.</p> <p>16         Q.     And he would need to apply -- he  17 would need to obtain an ECFMG certificate in  18 order to practice medicine again in the United  19 States, correct?</p> <p>20         A.     That is correct. Unless he went  21 to a U.S. medical school over again. If he  22 enrolled in a U.S. medical school, then he  23 wouldn't need an ECFMG certificate; but he  24 would have the bar or whatever restraints that</p>
<p>1 separate, independent for each of the  2 organizations.</p> <p>3         MR. THRONSON: I'd like to mark  4 exhibit 6.</p> <p>5         - - -</p> <p>6         (Whereupon the document was  7 marked, for identification purposes, as  8 Exhibit Number CORRADO-6.)</p> <p>9         - - -</p> <p>10 BY MR. THRONSON:</p> <p>11         Q.     I'm handing you what the court  12 reporter marked as exhibit 6. This is a  13 document produced to us, that is a decision  14 summary from the committee for individualized  15 review; does that seem right to you?</p> <p>16         A.     Yes.</p> <p>17         Q.     Then on the last page of the  18 exhibit, Bates 9158, it appears that the  19 committee made a finding of irregular behavior,  20 minimum 5 year bar, with state medical board  21 sponsorship required, told beginning  22 12/12/2017. What does that mean?</p> <p>23         A.     That means that they have found  24 irregular behavior, so he will have a notation</p>	<p>Page 227</p> <p>1 the USLME put on him.</p> <p>2         Q.     Do you believe that's the  3 possibility they're taking into account in  4 imposing a 5 year bar, as opposed to a lifetime  5 bar?</p> <p>6         MS. McENROE: Objection to form.</p> <p>7         THE WITNESS: I can't speak for  8 the committee for individualized review  9 on what their sanctions are, whether they  10 follow the same sanctions for the same  11 types of case. So I don't know what  12 their reasoning was in giving him that  13 particular bar.</p> <p>14 BY MR. THRONSON:</p> <p>15         Q.     So from your standpoint Akoda  16 can't practice medicine in the United States  17 unless he attends and graduates from a US  18 medical school, correct?</p> <p>19         A.     Correct, and he gets the state  20 board sponsorship to take the exams again, and  21 the USMLE allows him to take the exams again.  22 So it's not -- this is not a fait accompli. He  23 would only be able to petition them with these  24 things and they could still tell him no.</p>

## KARA CORRADO

<p>Page 230</p> <p>1 Q. Igberase and Akoda both needed 2 ECFMG certification in order to be able to -- 3 strike that. The individual identifying 4 himself as Igberase and Akoda needed ECFMG 5 certification to be able to practice medicine 6 in the United States, correct?</p> <p>7 MS. McENROE: Objection to form. 8 THE WITNESS: I would say he 9 needed a license to practice medicine, 10 but as an international medical graduate, 11 part of the requirements for him to get 12 into a training program, which would be a 13 requirement for licensure and to take 14 Step 3, was that he have a valid ECFMG 15 certificate.</p> <p>16 BY MR. THRONSON:</p> <p>17 Q. So an ECFMG certificate was a 18 necessary condition for him to be able to 19 practice medicine in --</p> <p>20 MS. McENROE: Objection to form. 21 THE WITNESS: Generally 22 speaking, unless the state board made an 23 exception for him. The state boards, the 24 regulatory authorities, have autonomy and</p>	<p>Page 232</p> <p>1 Q. To obtain a medical license to 2 practice in Maryland ECFMG certification was 3 required, correct?</p> <p>4 A. That's my understanding. As 5 part of their requirements, they needed 6 verification of his ECFMG certificate status.</p> <p>7 Q. Is ECFMG aware of any route 8 other than through ECFMG certification that 9 Akoda would have been able to obtain a place in 10 the residency program at Howard?</p> <p>11 MS. McENROE: Objection to form. 12 THE WITNESS: Only if Howard 13 waived that requirement for him.</p> <p>14 BY MR. THRONSON:</p> <p>15 Q. Is that typically done?</p> <p>16 A. I don't think so; but if you're 17 asking me if there's any other possible way, 18 that would be the only way I can think of for 19 him.</p> <p>20 Q. You're not contending that 21 Howard regularly waives that requirement?</p> <p>22 A. No.</p> <p>23 Q. Or did back then?</p> <p>24 A. No.</p>
<p>Page 231</p> <p>1 the authority to issue a license to 2 whomever they want to; it's within their 3 regulation.</p> <p>4 So generally speaking, yes, an 5 international medical graduate would have 6 to have an ECFMG certificate; but that's 7 not to say a licensing board couldn't 8 take its own decision to license him 9 without it.</p> <p>10 BY MR. THRONSON:</p> <p>11 Q. Could Akoda have gotten into the 12 residency program at Howard without ECFMG 13 certification?</p> <p>14 MS. McENROE: Objection to form. 15 THE WITNESS: If it's an ACGME 16 accredited program, then ECFMG 17 certification would have been required. 18 I don't know if they would make 19 exceptions to that or not, but 20 certification is required for entrance 21 into an ACGME accredited programs; and 22 assuming Howard is an ACGME accredited 23 program.</p> <p>24 BY MR. THRONSON:</p>	<p>Page 233</p> <p>1 Q. Are you aware of any other 2 routes, beside through ECFMG certification, by 3 which Akoda could have obtained a license to 4 practice medicine in Maryland?</p> <p>5 A. Other than the exception process 6 by the licensing board, that I sort of just 7 described, no.</p> <p>8 Q. Do you know if Maryland has that 9 exception process?</p> <p>10 A. I do not know.</p> <p>11 Q. Have you ever spoken with Akoda?</p> <p>12 A. No, I don't believe so.</p> <p>13 Q. If ECFMG had believed that the 14 letters of recommendation it received in 15 connection with Akoda's eras*** application, 16 residency application, were not authentic, 17 would ECFMG have had an obligation to inform 18 the residency programs to which he was a part 19 of?</p> <p>20 MS. McENROE: Objection to form. 21 THE WITNESS: I wouldn't say 22 that we would have an obligation, but if 23 we determine that letters of recommendation were fraudulent, we would</p>

## KARA CORRADO

<p>1 report it to the residency programs. It 2 would be reported to residency programs 3 in general through our official 4 notification process.</p> <p>5 BY MR. THRONSON:</p> <p>6 Q. Is the public entitled to have 7 confidence that ECFMG is acting in a reasonably 8 prudent fashion in assessing and verifying the 9 credentials and qualifications of international 10 medical graduates?</p> <p>11 MS. McENROE: Objection to form; 12 calls for legal conclusion.</p> <p>13 THE WITNESS: I wouldn't say 14 that they're entitled. I would say that 15 they may have an expectation that ECFMG 16 or any organization is following its 17 procedures appropriately et cetera.</p> <p>18 BY MR. THRONSON:</p> <p>19 Q. Should they have that 20 confidence?</p> <p>21 MR. McENROE: Objection to form.</p> <p>22 THE WITNESS: I mean, yes, I 23 think they could have that expectation.</p> <p>24 BY MR. THRONSON:</p>	<p>Page 234</p> <p>1 MS. McENROE: Objection, same 2 objection.</p> <p>3 THE WITNESS: I did raise a 4 question about the way that I phrased an 5 answer earlier, and whether I could 6 clarify that. So it was related to a 7 question you had asked in the beginning 8 about, does the American public have the 9 right to have a physician that has been 10 appropriately vetted, something like 11 that.</p> <p>12 In looking back, I thought I 13 would not have agreed with the words "the 14 right," but that they would have an 15 expectation. I asked Counsel about 16 whether I could clarify that.</p> <p>17 BY MR. THRONSON:</p> <p>18 Q. Anything else?</p> <p>19 A. No.</p> <p>20 Q. Did any procedural safeguards at 21 ECFMG fail in the process of certifying Akoda, 22 and then it's subsequent history with Akoda?</p> <p>23 MS. McENROE: Objection to form.</p> <p>24 THE WITNESS: No, I don't believe</p>
<p>1 Q. Should they have that 2 expectation from 1996 to the present?</p> <p>3 MS. McENROE: Objection to form.</p> <p>4 THE WITNESS: You mean in 5 general, yeah, I don't think their 6 expectations have changed.</p> <p>7 BY MR. THRONSON:</p> <p>8 Q. We've taken a few breaks during 9 the deposition did you confer with Counsel 10 about the substance of the deposition during 11 those breaks?</p> <p>12 MS. McENROE: Objection to form.</p> <p>13 I instruct you not to answer to the 14 extent it divulge privileged information, 15 but generally speaking you can give a 16 sort of general answer.</p> <p>17 THE WITNESS: Yes, and no, in 18 that we talked about other things that 19 were not related to this deposition.</p> <p>20 BY MR. THRONSON:</p> <p>21 Q. So you talked about other things 22 not related to the deposition. Did you also 23 talk about the testimony that you have given in 24 the deposition?</p>	<p>Page 235</p> <p>1 so.</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. Have you seen any evidence in 4 the file that specifically indicates that the 5 verified -- the document that purports to be an 6 authentication of the diploma from Benin was 7 sent by Benin?</p> <p>8 A. I don't recall if there is an 9 envelope in the file or not. So to that 10 extent, I don't know other than to say, whether 11 there is an envelope present or not, the 12 process, at the time and still is, if it's not 13 returned directly from the school we do not 14 accept it.</p> <p>15 Q. Okay. Pass the witness.</p> <p>16 MS. McENROE: Can we take a 17 quick break so I can go over my notes?</p> <p>18 MR. THRONSON: Sure.</p> <p>19 - - -</p> <p>20 (Whereupon there was a brief 21 recess in the proceeding.)</p> <p>22 - - -</p> <p>23 MS. McENROE: Back on.</p> <p>24 - - -</p>

## KARA CORRADO

<p>1 (Whereupon the document was 2 marked, for identification purposes, as 3 Exhibit Number CORRADO-7.) 4       --- 5       CROSS-EXAMINATION 6       --- 7 BY MS. McENROE: 8    Q. Ms. Corrado, my name is Elisa 9 McEnroe. We are acquainted; that's correct? 10   A. Yes. 11   Q. I am counsel for ECFMG, you 12 understand that? 13   A. Yes. 14   Q. I have a couple of very narrow 15 questions, I'm hoping, about some testimony 16 that you gave today. Do you understand that? 17   A. Yes. 18   Q. I'm handing you what I've marked 19 as CORRADO-7. Do you recognize that letter? 20   A. Yes. 21   Q. What is it? 22   A. This is a letter from Dr. Akoda 23 responding to Mr. Kelly's August 22, 2000, 24 letter in which he alleged that he was using</p>	Page 238	<p>1 indicating to ECFMG that you had not taken an 2 exam previously when you had taken an exam. 3       It could also refer to your 4 medical school attendance and graduation if 5 when we sourced verified your diploma, it was 6 inauthentic. 7    Q. Could an inaccurate address be 8 considered by ECFMG to be false information 9 that would constitute irregular behavior? 10   A. That is not something that we 11 would consider irregular behavior. 12   Q. What about the location of the 13 birth? 14   A. No. 15   Q. What about social security 16 number? 17   A. No. 18   Q. Is it possible for there to be 19 information that is false on an ECFMG 20 application that might constitute a violation 21 of law, but would not constitute a basis for 22 irregular behavior for ECFMG? 23   A. Yes, that's possible. 24   Q. Does ECFMG make allegations of</p>	Page 240
<p>1 Igberase's information. 2    Q. You were asked some questions a 3 little bit earlier today regarding whether and 4 when Dr. Akoda responded to the letter from 5 Mr. Kelly dated August 22, 2000. Do you recall 6 that? 7    A. Yes. 8    Q. Does this refresh your 9 recollection for that testimony? 10   A. Yes. So I think I said that he 11 had not responded within the requisite 15 days, 12 but looking at the receipt date on this it 13 appears that he did. 14   Q. There was some discussion 15 earlier today about what it means to have a 16 finding of irregular behavior for false 17 information on an application. Do you remember 18 generally that kind of testimony? 19   A. Yes. 20   Q. Can you clarify what could 21 constitute irregular behavior for false 22 information on an application to ECFMG? 23   A. False information on an 24 application for ECFMG would, could consist of</p>	Page 239	<p>1 irregular behavior for applicants' violations 2 of law just because they are a violation of 3 law? So for example, rape or murder? 4    A. No. The criminal activities of 5 applicants are not within our jurisdiction for 6 irregular behavior. 7    Q. There was a lot of discussion 8 today about ECFMG certification, correct? 9    A. Yes. 10   Q. What does an ECFMG certificate 11 signify? 12   A. An ECFMG certificate signifies, 13 that the individual has met minimum 14 requirements which includes passing medical 15 licensing examinations, as well as meeting our 16 credentialing requirements. 17       It signifies to an ACGME 18 accredited residency program that the 19 individual has met those requirements for 20 admission to GME, and it is part of the 21 requirements for eligibility for Step 3 and for 22 licensure. 23    Q. Does an ECFMG certificate 24 signify certification of an applicant's</p>	Page 241

## KARA CORRADO

<p style="text-align: right;">Page 242</p> <p>1 identity to a recipient of a ECFMG status  2 report indicating there's an ECFMG certificate  3 in place?</p> <p>4 A. No.</p> <p>5 Q. What do you mean by that?</p> <p>6 A. So when we certify the status of  7 an ECFMG certificate, we are not certifying to  8 the organization necessarily the identity of  9 the individual, but that an individual with  10 that name and date of birth has met the  11 requirements for certification and what the  12 validity is of their certificate and where they  13 went to medical school.</p> <p>14 Q. Is ECFMG certifying to the  15 recipients of the ECFMG certification  16 information that the applicant's social  17 security number is accurate?</p> <p>18 A. No.</p> <p>19 Q. Is ECFMG certifying to the  20 recipient of the ECFMG certification that the  21 location of the birth is accurate?</p> <p>22 A. No.</p> <p>23 Q. Is ECFMG certifying to the  24 recipients of the ECFMG certification status</p>	<p style="text-align: right;">Page 244</p> <p>1 Q. To whom would ECFMG release a  2 ECFMG certification status report?</p> <p>3 A. To residency programs, licensing  4 boards, and other organizations that are  5 employing the physician as a physician.</p> <p>6 Q. Like hospitals and --</p> <p>7 A. Hospitals, right, CVOs that are  8 working on behalf of the hospitals.</p> <p>9 Q. Is it ECFMG's expectation that  10 recipients of ECFMG certification get  11 additional credentials before laying hands on  12 patients independently? I can restate that if  13 you need?</p> <p>14 A. Yes, can you.</p> <p>15 Q. Yes. So what I'm asking is  16 there was a lot of questions today about  17 whether an ECFMG certificate was necessary for  18 an applicant to do other things, for example go  19 to a residency program. Do you remember that  20 testimony?</p> <p>21 A. Yes.</p> <p>22 Q. Is it ECFMG's understanding that  23 an ECFMG certificate is sufficient for an  24 applicant to treat patients?</p>
<p style="text-align: right;">Page 243</p> <p>1 that the clinical clerkships are accurate as  2 represented on ECFMG's application?</p> <p>3 A. No.</p> <p>4 Q. Is it ECFMG's expectations that  5 individuals from the public rely on ECFMG  6 certification for any purpose?</p> <p>7 A. I'm sorry, can you say that  8 again?</p> <p>9 Q. Yes. Is it ECFMG's expectation  10 that individuals from the public rely on ECFMG  11 status for any purpose?</p> <p>12 A. No.</p> <p>13 Q. So can an individual off the  14 street or who is examining the credentials of a  15 potential physician they want to go see, are  16 they entitled to contact ECFMG and ask about a  17 physician's certification status?</p> <p>18 A. No. We would not release a  19 physician's certification status or a status  20 report to a member of the public.</p> <p>21 Q. Would ECFMG release a  22 certification status report to the individual  23 himself?</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 245</p> <p>1 A. No, it's not sufficient.</p> <p>2 Q. What else would be required  3 under ECFMG's expectations?</p> <p>4 A. So ECFMG certification is one of  5 the initial steps in the process for an  6 international medical graduate to ultimately  7 practice medicine in the United States.</p> <p>8 While ECFMG certification may be  9 required for entrance into residency or for  10 licensure, it is not the only requirement that  11 the residency programs and the licensing boards  12 have in order to admit those individuals to  13 their programs or to license those individuals.</p> <p>14 Q. So to make sure I understand.  15 After an applicant gets an ECFMG certificate,  16 do they take any other board exams?</p> <p>17 A. Yes. They need to take USMLE  18 Step 3. So essentially they have to become  19 ECFMG certified which is the beginning of the  20 process, taking the examinations required for  21 certification; have their credentials source  22 verified; go through the residency application  23 process; get accepted to a residency program,  24 and meet whatever requirements the residency</p>

## KARA CORRADO

<p>1 programs has.</p> <p>2 They can then apply for Step 3,</p> <p>3 and they have to be certified and meet the</p> <p>4 eligibility requirements that the Federation of</p> <p>5 State Medical Boards has for Step 3; complete</p> <p>6 their training and then again meet whatever</p> <p>7 requirements the licensing board would have on</p> <p>8 them to be licensed.</p> <p>9 Q. You said "complete training,"</p> <p>10 what do you mean by that?</p> <p>11 A. Graduate medical education</p> <p>12 training is generally a requirement for</p> <p>13 licensure in all states.</p> <p>14 Q. So in other words, would that be</p> <p>15 like a residency program, for example?</p> <p>16 A. Yes, residency program.</p> <p>17 Q. So are the applicants coming</p> <p>18 through ECFMG still in graduate medical</p> <p>19 education as they are proceeding forward; do</p> <p>20 they still have more education requirements</p> <p>21 after they get an ECFMG certificate?</p> <p>22 A. To be licensed in the U.S., yes.</p> <p>23 Q. Is -- FSMB, that's an acronym</p> <p>24 you just used, what does that stand for?</p>	<p>Page 246</p> <p>1 University, would rely on ECFMG status for any</p> <p>2 purpose?</p> <p>3 A. Yes, to demarcate that that</p> <p>4 person met the certification so they could</p> <p>5 enter GME among whatever other requirements the</p> <p>6 program had.</p> <p>7 Q. It is ECFMG's expectation that</p> <p>8 hospitals that are considering whether to grant</p> <p>9 clinical privileges to a physician rely on</p> <p>10 ECFMG status for any purpose?</p> <p>11 A. I think it would be fair to say</p> <p>12 that they have the same expectation as the</p> <p>13 licensing board and the residency programs have</p> <p>14 on the status reports; on ECFMG providing</p> <p>15 information about certificate status.</p> <p>16 Q. The status report that was</p> <p>17 provided to the Howard residency program</p> <p>18 regarding Akoda, what was all the information</p> <p>19 that that status report contained?</p> <p>20 A. The status report would contain,</p> <p>21 his name; his USMLE identification number; his</p> <p>22 medical school; the year he graduated; the</p> <p>23 country of medical school; the validity of his</p> <p>24 ECFMG certificate, what the status is; whether</p>
<p>1 A. That is the Federation of State</p> <p>2 Medical Boards.</p> <p>3 Q. Is that an entity under ECFMG's</p> <p>4 control?</p> <p>5 A. No.</p> <p>6 Q. That's a separate entity?</p> <p>7 A. Yes.</p> <p>8 Q. Thank you.</p> <p>9 I have no further questions of</p> <p>10 this witness.</p> <p>11 MR. THRONSON: Just a few follow</p> <p>12 ups to echo a few of Counsel's questions.</p> <p>13 - - -</p> <p>14 REDIRECT EXAMINATION</p> <p>15 - - -</p> <p>16 BY MR. THRONSON:</p> <p>17 Q. Is it ECFMG's expectation that</p> <p>18 state medical boards will rely on reports of</p> <p>19 ECFMG certification status for any purpose?</p> <p>20 A. Yes. To meet the requirement</p> <p>21 that the board might have for ECFMG</p> <p>22 certification.</p> <p>23 Q. Is it ECFMG's expectation that</p> <p>24 residency programs, such as that at Howard</p>	<p>Page 247</p> <p>1 it expired or valid indefinitely; and when it</p> <p>2 was issued.</p> <p>3 Q. If there were any finding of</p> <p>4 irregular behavior, would the status report</p> <p>5 contain an annotation reflecting that finding?</p> <p>6 A. Yes.</p> <p>7 Q. Any other information that the</p> <p>8 status report contains, in that was submitted</p> <p>9 to the Howard Residency Program?</p> <p>10 A. The status report to the</p> <p>11 residency program may have had the dates that</p> <p>12 he passed the USMLE examinations; and that</p> <p>13 would be for the exams that met ECFMG's</p> <p>14 examination requirement, but we would not</p> <p>15 include scores to the residency program because</p> <p>16 they would get those through a USMLE</p> <p>17 transcript.</p> <p>18 Q. Any other information?</p> <p>19 A. No, electronically through the</p> <p>20 system I don't believe there's any other</p> <p>21 information.</p> <p>22 Q. ECFMG also provided status</p> <p>23 reports to the Maryland Board -- a status</p> <p>24 report to the Maryland Board of Physicians,</p>

## KARA CORRADO

<p>1 right?</p> <p>2 A. Yes.</p> <p>3 Q. Would that status report have 4 contained all the information that you just 5 mentioned?</p> <p>6 A. Yes.</p> <p>7 Q. Would it have been the same 8 status report that was sent to them?</p> <p>9 A. It would have been the same 10 status report, yes. In terms of the 11 information that is on it, it's in a different 12 format. When Howard gets it electronically, 13 it's not a PDF it's data; and when the Maryland 14 board gets it, it would be in more of a PDF 15 format --</p> <p>16 Q. Okay.</p> <p>17 A. -- the substance is the same.</p> <p>18 Q. Any additional information that 19 was on the report to the Maryland Board of 20 Physicians?</p> <p>21 A. Other than, our -- we have some 22 disclaimers at the bottom, but other than that 23 there's no other information that I recall.</p> <p>24 Q. What are the disclaimers?</p>	<p>Page 250</p> <p>1 MR. THRONSON: I don't think so.</p> <p>2 If you want to make that objection you 3 can.</p> <p>4 MS. McENROE: Let me take a look 5 real quick. I do object. I'm just 6 wondering what your nexus is to the 7 redirect examination?</p> <p>8 MR. THRONSON: I think it -- 9 it's about the concerns -- it concerns 10 identity verification; it concerns the 11 role of ECFMG in doing that. If you want 12 to put your objection on the record, 13 that's fine.</p> <p>14 MS. McENROE: Yes, just for the 15 sake of everybody's afternoon and 16 childcare obligations, I'm objecting to 17 the redirect examination being beyond the 18 scope of the cross-examination; preserve 19 any other objections that I have to 20 specific questions.</p> <p>21 - - -</p> <p>22 (Whereupon the document was 23 marked, for identification purposes, as 24 Exhibit Number CORRADO-8.)</p>
<p>1 A. They are disclaimers about 2 ensuring that the requesting organization has 3 the authorization from the physician to request 4 the information about them.</p> <p>5 Q. Anything else?</p> <p>6 A. Not that I can recall.</p> <p>7 Q. ECFMG also sent that status 8 report regarding Akoda to Prince George's 9 County Hospital, right?</p> <p>10 A. Yes.</p> <p>11 Q. Was that status report identical 12 to the one sent to Howard University?</p> <p>13 A. Yes.</p> <p>14 Q. Did it contain any additional 15 information, or did it omit any information?</p> <p>16 A. It is all the same.</p> <p>17 Q. I just have some very brief 18 questions about two emails.</p> <p>19 MS. McENROE: Counsellor, I just 20 want to check, if this is outside the 21 scope of my cross, just in the interest 22 of everybody's time, trying to understand 23 how this fits into the course of how 24 you're conducting today's deposition.</p>	<p>Page 251</p> <p>1 - - -</p> <p>2 BY MR. THRONSON:</p> <p>3 Q. This is an email that you sent 4 to Lisa Cover, Marc Malachesky, and Tracy Gill 5 dated 11/27/2017?</p> <p>6 A. Yes.</p> <p>7 Q. And in it you appeared to have 8 attached information, it was an update, I 9 believe, to the creds committee regarding the 10 Akoda matter?</p> <p>11 A. Yes.</p> <p>12 Q. You said in the third paragraph, 13 I think this case is the "worse case scenario," 14 for applicants who attempt to establish new 15 identities.</p> <p>16 What did you mean by "worse case 17 scenario"?</p> <p>18 A. This is an applicant 19 representing to us that he has a different 20 identity or defrauding us. That this case was 21 a worse case scenario of that, that he was able 22 to defraud ECFMG with a wholly new identity and 23 that it was important for us to continue to 24 make the enhancements to our overall process.</p>

## KARA CORRADO

<p style="text-align: right;">Page 254</p> <p>1 Q. Is it ECFMG's position that 2 implementation -- or that Notary Cam technology 3 had been available earlier, been implemented 4 earlier, that it could have detected the fraud 5 at an earlier point?</p> <p>6 MS. McENROE: Objection to form; 7 calls for speculation.</p> <p>8 THE WITNESS: It would have been 9 more difficult for an individual to 10 present themselves to us with a wholly 11 different identity.</p> <p>12 So I don't think it will a 13 hundred percent stop that. I think it 14 will help to reduce it.</p> <p>15 BY MR. THRONSON:</p> <p>16 Q. I see in some of the documents 17 you refer to an IV process. Do you know what's 18 meant by that?</p> <p>19 A. Depends on what documents it's 20 in. We refer to irregular behavior and special 21 investigations as IV, but the organization 22 generally looks at IV as the information 23 booklet. So I don't know which document.</p> <p>24 Q. This is my last question. I</p>	<p style="text-align: right;">Page 256</p> <p>1 and information to Maryland". Then you wrote 2 "I'm sensitive to the current issues related to 3 our IB." What did you mean by that?</p> <p>4 A. Oh, that is related to the 5 contract that we have with the National Board 6 of Medical Examiners and the Federation of 7 State Medical Boards. We have separate 8 processes, we talked about the committee for 9 individualized review.</p> <p>10 In the past we adjudicated the 11 cases in a different way, in that we referred 12 them to the committee for individualized 13 review, and then they would be remanded, after 14 a determination was made they would be 15 remanded, for a sanction to be set. We changed 16 that process because it was inefficient, so 17 it's related to that.</p> <p>18 Q. So there are contracts that 19 exist between ECFMG and the Federation of State 20 Medical Boards related to the irregular 21 behavior processes?</p> <p>22 A. The contract is related to 23 ECFMG's role in determining the eligibility for 24 international medical graduates to take the</p>
<p style="text-align: right;">Page 255</p> <p>1 understand this will probably also be taken 2 subject to objection.</p> <p>3 MS. McENROE: Same objection.</p> <p>4 MR. THRONSON: I'd like this 5 email to be marked as Exhibit 9.</p> <p>6 - - -</p> <p>7 (Whereupon the document was 8 marked, for identification purposes, as 9 Exhibit Number CORRADO-9.)</p> <p>10 - - -</p> <p>11 BY MR. THRONSON:</p> <p>12 Q. Exhibit 9 represents an email 13 chain that involves correspondence between you 14 and Lisa Cover and you and Amy Buono and some 15 other individuals at -- that are State Medical 16 Boards, National Board of Medical Examiners; 17 fair to say?</p> <p>18 A. Yes.</p> <p>19 Q. You were asked by Amy Buono can 20 you provide an update as to the work you've 21 done so far with the US Attorney's Office?</p> <p>22 A. Yes, she asked that.</p> <p>23 Q. You asked Lisa, you weren't sure 24 what more to share then "we provided insight</p>	<p style="text-align: right;">Page 257</p> <p>1 United States Medical Licensing Examination.</p> <p>2 So the USMLE program has 3 essentially contracted with ECFMG to do that 4 for international medical graduates. So we 5 will enforce their eligibility requirements, as 6 well as our own requirements for certification 7 on international medical graduates. That's 8 really related to efficiencies in the 9 examination process.</p> <p>10 There were a number of 11 examinations in the past. Licensing boards 12 used to give their own exams, ECFMG had exams, 13 and when the USMLE examinations were introduced 14 in the mid 90s, the licensing boards all 15 decided that they would use those examinations 16 to make the process more efficient for 17 physicians.</p> <p>18 Then ECFMG at that time also 19 agreed to use the USMLE examination to meet its 20 examination requirements for certification. So 21 in that process, the USMLE program agreed to 22 have ECFMG determine eligibility on its USMLE's 23 programs' behalf, for international medical 24 graduates.</p>

## KARA CORRADO

<p>1     Q.    So contractual arrangement began 2 in the mid 90s and has continued through until 3 today?</p> <p>4     A.    Yes.</p> <p>5     Q.    That's all the questions I have.</p> <p>6            MS. McENROE: Nothing further 7 from us.</p> <p>8            ---</p> <p>9            (Witness excused.)</p> <p>10           ---</p> <p>11           (Deposition concluded at 6:13 p.m.)</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 258	Page 260
<p>1           C E R T I F I C A T E</p> <p>2</p> <p>3           COMMONWEALTH OF PENNSYLVANIA:</p> <p>4</p> <p>5           C O U N T Y O F P H I L A D E L P H I A :</p> <p>6</p> <p>7           I, Jennifer L McDonald, a Notary 8           Public within and for the County and State 9           aforesaid, do hereby certify that the foregoing 10           deposition of KARA CORRADO was taken before me, 11           pursuant to notice, at the time and place 12           indicated; that said deponent was by me duly 13           sworn to tell the truth, the whole truth, and 14           nothing but the truth; that the testimony of 15           said deponent was correctly recorded in machine 16           shorthand by me and thereafter transcribed 17           under my supervision with computer-aided 18           transcription; that the deposition is a true 19           record of the testimony given by the witness; 20           and that I am neither of counsel nor kin to any 21           party in said action, nor interested in the 22           outcome thereof</p> <p>23</p> <p>24           WITNESS my hand and official seal this</p> <p>14           16th day of September 2019</p> <p>15</p> <p>16           <i>Jennifer L McDonald</i></p> <p>17</p> <p>18           Jennifer L McDonald, 19           Notary Public</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	Page 259	Page 261

KARA CORRADO

Page 262

1       ACKNOWLEDGMENT OF DEPONENT  
2       I, \_\_\_\_\_, do hereby  
3       certify that I have read the foregoing pages \_\_\_\_  
4       to \_\_\_\_ and that the same is a correct  
5       transcription of the answers given by me to the  
6       questions therein propounded, except for the  
7       corrections or changes in form or substance, if  
8       any, noted in the attached Errata Sheet.

9

10 \_\_\_\_\_

11 DATE      SIGNATURE

12

13

14       Subscribed and sworn to before  
15 me this \_\_\_\_\_ day of \_\_\_\_\_,  
16 2017.

17

18       My commission expires:

19 \_\_\_\_\_

20 \_\_\_\_\_

21       Notary Public

22

23

24